procrastination (24 airlines)

A PARTY OF EIGHT, white and colored, men and women, were returning by plane to the East from the inauguration ceremonies of President Charles Johnson of Fisk. At the "all aboard" at the Nashville airport, the big DC-6 plane got a flat tire and the 8 passengers had to be unloaded for an hour or so.

As is the custom, the passengers were issued lunch tickets so they could utilize the time by lunching in the airline dining room at airline expense. This was fine except that when Langston Hughes, the first of the interracial party to present himself, was told by a white girl waitress he could get his tray of food and take it to the airline executive offices and eat it. (Defender)

Langston explained calmly and courteously that he was one of a party and did not care to be separated. He indicated Dr. Frank Horne, William Trent and Randall Tyus of the United Negro College Fund, and the white members including the daughter of William Embree (Rosenwald Fund), Mrs Deveraux and her husband. The waitress took one look at the varied complexions and gave up any idea of trying to pick out white and colored.

"We'll just have to serve you in the executive offices," she said. So the airline offices were cleared of desks, tables set up, and menus brought. The orders were full and complicated, most of the travelers deciding to give the service a good work-out by ordering filet mignon and all the fixings. But the waitress and a helper, apparently decrying the silliness, cheerfully made the many tedious trips across the hall with loaded trays and everything went off fine.

The executive phones in the offices were at the disposal of the party, and when it seemed that the service would run overtime, they were told not to hurry, the plane would be held. It was.

Incidentally, Haitian Ambassador Charles had the day before been ordered to move from his seat in the waiting room of this station to some designated "colored seats." He ignored the order and was allowed to remain where he was. (Defender)

A WORTHY REQUEST

(Defender, Chicago Ill 2-24-47)

Color barriers in the restaurants at the National Airport which is located in Virginia, across the Potomac River near Washington, have aroused the indignation of Secretary of Commerce Averill Harriman. Segregation is maintained at the Capital's air terminal because of Virginia's Jim Crow law.

Recently Secretary Harriman addressed a letter to Speaker Joe Martin of the House of Representatives requesting that Congress take some action on this scandalous situation. According to press dispatches, Mr. Harriman "recommended that Congress make inapplicable to the airport the segregation section of the Virginia law which had been incorporated into Federal law." (24 Airlines)

It goes without saying, that this is certainly a worthy request. Jim Crowism is so flagrantly practiced in Washington that every effort, no matter how small, to eliminate it must be applauded. We are pleased to note also that Secretary Harriman has joined the ranks of other distinguished Americans who are outraged by the wanton abuse of our civil rights.

1947

...used Woman ...Sues Airline

...CHICAGO.—(ANP)—Jim Crow, ...rus Dixie style, was the cause ...a $50,000 damage suit against ...Chicago and Southern Airlines ...last week. Mrs. Gertrude ...Brooks, 35, of Chicago, charges ...she was brutally evicted from ...plane last June 26 by Memphis ...lice when she refused to give ...the reserved seat that she had ...rchased and move to a Jim Crow ...

According to the bill, Mrs. Brooks had purchased a round-trip ticket to Memphis and was the act of returning to Chicago when she was ordered to movve to another part of the plane. When she insisted upon her rights, police were called and subjected her to abusive treatment. Mrs. Brooks claims that police beat her, broke some of her teeth, and forced her to spend the night in jail. The next morning she was fined $18.70 for disorderly conduct.

Although the ticket was sold in Chicago, the local branch of the airline refused to make a statement other than that the case was being handled by the legal department in the general offices in

Awarded $3,000 From Seaboard For Segregation

NEW YORK — (NNPA) — Mrs. Nina Beltram who charged she was forced to enter a Jim Crow coach while enfoute from New York to Columbia, S. C., has accepted a settlement of $3,000 in a suit against the Seaboard Air Line railway, her lawyers announced last Friday.

While traveling with her five-year-old son on Aug. 7, 1945, she was ordered at Raleigh, N. C., to enter a different coach and, finding no space, returned to her seat in the "white" coach.

A policeman, summoned by the conductor at Hamlin, N.C., punched her and forced her to go back into the Jim Crow car, she charged.

The suit, filed in the United States Court for the southern district of New York in October, 1945, asked damages of $75,000 for injury and violation of civil rights.

Mrs. Beltram's attorney termed the settlement "a great victory in the fight to end Jim Crow in this

Sues, Airline, Charges Bias

LOS ANGELES—In one of the first suits lodged against a major airline of this country, a resident of this city filed suit last week for $12,000 against the Transcontinental-Western Air, Inc.

Mrs. Ruth Wyatt, 1205 East Forty-second Place, who sued the airline, sets forth in her suit that the plane on which she was a passenger on April 24, this year, was forced down in Albuquerque, N. M. due to inclement weather.

Passengers were given reservations to hotels in that city, but Mrs. Wyatt charges that the agent told her that is was impossible for her to obtain quarters in any hotel because of her color. She was offered accommodations in the home of one of the airline's Negro employes.

REMAINED IN LOBBY

While other passengers enjoyed the reservations given them in the hotels of Albuquerque, according to Mrs. Wyatt's charge, she was forced to spend the night in the lobby of the waiting room.

From the TWA office, a statement has been issued that the company does not practice discrimination in any accommodations controlled by them.

Conducting the plaintiff's case is the law firm of Gordon, Ragland and Porter of Los Angeles. Specific charges levied by Mrs. Wyatt is that the company discriminated against her because of her color.

ANOTHER SUIT

In another suit, Dan (Chicken) McMullen charges that the American Airlines discriminated against him because of his color. On July 1, McMullen alleges that he purchased a ticket to Chicago, and was a passenger on a plane that landed in Dallas, Tex.

At that point, it is alleged that all pasengers had previously made reservations on planes departing from that city en route to Chicago. According to McMullen, all passengers, with the exception of himself, received their reservations, and other pasengers, all white, were sold tickets.

It is set forth that McMullen was also refused service in a restaurant located in the terminal at Dallas, and that he was forced to wait until two o'clock in the morning before he could secure a seat on

Bias Charged

Two Airlines Face Lawsuits

(From Los Angeles Bureau)

LOS ANGELES—Federal Judge Jacob Weinberger denied a plea for dismissal of a $10,000 damage suit brought against Trans-World Airlines, Inc., by Mrs. Ruth Wyatt of 1205 East Forty-second Place, and ordered the defandants to file an answer to the complaint within twenty days.

The suit grew out of Mrs. Wyatt's experience last April 24 while a passenger on a TWA airliner.

The plane was grounded in Albuquerque, N. M., because of bad weather, and accommodations were made for passengers at a hotel in the city.

PUT OUT OF CAB

Mrs. Wyatt claims she was refused accommodations at the hotel by the TWA passenger agent and ordered to get out of the limousine which was to have taken the passengers there.

When she protested, the agent assertedly told her the best he could do was to try and find her a place to stay with one of the employes.

This she refused and remained in the terminal from late that night until the plane departed the next day.

Meanwhile, she called Atty. Walter L. Gordon Jr. in Los Angeles and retained him to bring legal action against the airline.

SIMILAR SUIT

A similar suit is pending against American Airlines, with Daniel (Chicken) McMillan, chauffeur for heavyweight champion Joe Louis, as the plaintiff.

According to McMillan, his employer purchased a ticket for him from Chicago to Los Angeles, via Dallas, Texas, last June. McMillan said he had a confirmed reservation but upon his arrival in Dallas to change planes, he was not permitted to board the plane. Ticket agents told him it was already full and that he would have to wait.

WAITED TWELVE HOURS

He said he waited in the airport from 1 P. M. to 1 A. M. until he was able to get a seat on a westbound liner.

He stated he observed other passengers who had arrived after him being boarded on planes for the same destination.

Most embarrassing, McMillan said, was the refusal of cafe employes to serve him at the counter. They told him he could be served in the kitchen.

He said he was without food al-

most the whole time until just before he embarked a waiter agreed to serve him.

McMillan said Attorney Gordon, whom he has retained for his counsel had received letters of apology from R. E. S. Deichler, company vice president.

Taxicolor

Airliner Defends Chicago Jim Crow

Herman Smith, Schenley products sales promoter, flew in the other day from Atlanta to Memphis. To his surprise he was told that because he is colored he could not use the regular limousine service from airport to town, 12 miles away.

The young Eastern Air Lines' representative to whom Herman appealed was obviously embarrased and advised him to see the porters about transportation into town. Herman explained patiently that he had not bought his ticket from the porters but from Eastern Air Lines, and he expected the latter to do something about it, not the porters.

"Oh," said the young representative, "then I'll call into town for a colored cab for you, but the porters usually look after our colored passengers."

Herman asked how much the cab fare would be and was told it would be no less than $2.50 and possibly $3.50. However, the fare by regular limousine service is only 85 cents. Seeing no way out of paying this color tax, Herman talked with the colored porters while he waited for his special colored cab. He learned that other colored passengers were regularly required to put up a deposit before a cab will be called, because once an irate colored passenger wouldn't use the colored cab after it arrived.

This may seem pretty silly, but it isn't funny. Herman has made a report of the matter to Eastern Airlines headquarters in New York, and has requested a refund of his $2.15 he had to pay for being colored. He also wants an apology, because the delay caused him to miss an appointment, which, incidentally, puts him in position to sue if he cares to.

Wrong Way In The Wrong Day

Memphis, Tenn. Memphis World 7/1, 8/1/47

(From Birmingham World, Birmingham, Ala.)

Signed into law is a bill authorizing Alabama bus stations to maintain separate rest rooms, waiting rooms and ticket windows. This was already the practice and custom. Laws of this state embrace the legal myth of "separate but equal." 24 Fri. 8/1/47

The Alabama Legislature ignored altogether the graver problem—that of shameful denial of equal accommodation by bus companies in stations and on buses. Waiting rooms, lunchrooms, services and seating for Negro citizens traveling by bus fall far short of that given to white people.

One of the reported motives behind this law is to avoid legal attack on the jimcrow bus system with its shocking discriminations. It is hard to see how a violation of the constitutional rights of a minority people can be protected by this type of action.

The Legislature could render a fine service by doing something to remedy the glaring inferior bus services provided Negro citizens. These conditions invite and inspire court action.

A good case for real democracy cannot be made with the curse of racial discrimination. Bus discrimination, with its awful lack of equal accommodations for Negro citizens, stab the conscience of the nation and wither the spirit of the South.

Fri. 8/1/47

Alabama, is going the wrong way in the wrong day with its handling of this item of democracy.

there were none. Some distance out of Montgomery, the conductor assigned her to a berth about 3 a.m., she declared. In her petition she said she had complained repeatedly to company officials to no avail.

Jim Crow . . . In Alabama

New Republic 27 Mar. New York, N.Y.

IN the darkness the Negro soldier sat beside a white man. The bus driver pointed out his mistake. The Negro moved. The driver didn't like his attitude and put him off the bus. At the next town the driver passed out Greyhound cards for the passengers to sign, saying the Negro had been rough and unruly. The man by whom the soldier had sat refused to sign. "He did just what you told him," said the man. "You damned nigger-lover," said the driver. "I'll put *you* off the bus." "You and who else," the man replied, forgetting he was in Alabama, not home in Detroit. The bus driver fetched the police. The Detroit man was jailed overnight, fined.

Mon. 9-22-47

Dillard Teacher Sues Railroad

27 Ala. Chicago Defender Sat. 4-19-47

NEW ORLEANS—A Dillard University woman instructor charged mistreatment, humiliation and physical abuse before the United District Court here last week in her $10,000 damage suit against the Louisville and Nashville railroad company.

Through her counsel, Atty. A. P. Tureaud, Miss Bertha M. Sawyer, the complainant, said she complained to railroad officials concerning the conduct of their employees during her trip from Cheehaw, Ala., to New Orleans last April, but was unable to settle the matter amicably.

Refused Berth

"I purchased a round trip first class ticket from New Orleans to Cheehaw, Ala.," she declared, "but was unable to secure a berth for the trip one way. When I returned April 7 on the 10:46, I was unable to secure a berth at Cheehaw but the agent said that there was a possibility of picking one up at Montgomery," Miss Sawyer said.

The young woman declared that she was seated on the train, however, the seat she had chosen happened to be in a coach reserved for white persons and the conductor told her to find a seat in the other coach. Sat. 4-19-47

"I took my heavy baggage and walked through coaches and didn't see a decent seat . . . I went back and told the conductor that there wasn't a decent place to sit and started back to the coach where I was originally seated. Another conductor asked 'Are you white or colored,'

"I said that wasn't the question involved; I had a first class ticket, was an interstate passenger and was not subject to any inconsistent state law." Sat. 4-19-47

Miss Sawyer said the conductor pusher her around and said he wished he had her where he could give her what she "deserved."

The young woman said when she arrived at Montgomery she made another inquiry about a berth and was told by several persons that berths were available, however the conductor said

Had Ordered Trio Off Train

Retrial Rejected After Moral Victory

ASKED $45,000

Cleric, 2 Newsmen Given $200 Each

WASHINGTON

Damages totaling $902 were paid last week by the Southern Railway Company in settlement of the $45,000 suit brought by the AFRO-AMERICAN, testing the validity of that carrier's provision of separate jim-crow accommodations for interstate passengers.

Decision in the case was handed down on Sept. 23, 1946 by the U.S. Court of Appeals for the District of Columbia, after AFRO attorneys appealed on Nov. 23, 1945, from the decision of the U.S. District Court which favored the railroad.

Fought for Principle

The Court of Appeals sided with the AFRO and directed that the case be turned to the lower court for retrial.

Instead of a retrial, the AFRO agreed to a settlement since it had definitely established the principle for which it had contended. It is customary in such cases, where the establishment of a principle is the major consideration, to get a verdict and damages of one cent or more.

It was with this understanding that the AFRO, which wholly financed the case, instructed its counsel to agree to a settlement which would cover counsel and court fees.

Appellants Given $200 Each

Appellants were the Rev. Wil- [illegible] Ralph Matthews, [illegible] of the AFRO's national [illegible] in Washington, and William [illegible] former AFRO photog- [illegible] of Washington, who [illegible] at Lynchburg, Va. [illegible] from Philadelphia [illegible] N.C. in November [illegible]

The court awarded $200 to each of the appellants and also assessed the Southern with $302 court costs.

The three men had bought tickets in Philadelphia to Greensboro, the tickets calling for through seat reservations for specified seats in specified coaches.

Asked to Move in 3 Cities

At Alexandria, Va., and again at Charlottesville, the conductor and others of the train crew requested that they move to other seats in a jim crow coach. They refused.

Agents of the railroad then notified city police at Lynchburg, and when the train arrived there, a police officer boarded the train and requested them to move.

When they again refused, he told them that he would have to compel them to get off the train. It was then that they got off.

The railroad had contended that it was not liable, inasmuch as Lynchburg city police were responsible for the ouster, but the court ruled that the railroad, in calling the police, shared the responsibility.

Influenced by Morgan Case

Attorneys for the three men argued that the Virginia statute requiring railroads to provide separate coaches for white and colored passengers was invalid when applied to interstate travel and therefore inapplicable to them, since they had contracted with the railroad for specified seats for their journey.

The 2-1 opinion, written by Judge E. Barrett Prettyman, and concurred in by Judge Henry W. Edgerton, was delayed, pending the decision in the case of Mrs. Irene Morgan vs. Virginia, whereby the U.S. Supreme Court declared illegal the segregation of interstate bus passengers.

It pointed out that there is "no valid distinction between segregation in buses and in railroad cars."

Southern Railway To Dine Its Negro Passengers In 'Bull Pen

(24) dining car Ill.

Chicago DEFENDER,

(Defender Washington Bureau)

WASHINGTON—Unless the Interstate Commerce Commission rules gainst the practice, Negro passengers, using the Southern Railway, will hereafter be forced to eat in a cubby-hole adjunct to the kitchen, a dining "pen" accommodating only four persons and structurally segregated from other passengers in the dining car. Ill 1-19-47

That the Southern Railway plans to build special cars for this structural segregation was learned here this week at a Commerce Commission hearing on complaint filed by Dr. Benjamin E. Mays, president of Morehouse College, ejected from a Southern dining car Oct. 7, 1944. Dr. Mays was traveling from Atlanta, Ga., to New York City and on finding that the two tables usually held for Negro passengers were occupied by whites, seated himself at another vacant table.

Represented before ICC by NAACP attorneys, Mays is seeking $2,500 damages for the ejection from this seat and a restraint against the Southern proposal to build in further segregated dining facilities. Knowledge of this new plan came from Southern's attorney, A. J. Dixon, who told the IC commissioners that it was to be done to "assure Negro passengers diner accommodations which may be used by them exclusively."

The dining "pen" will be adjacent to the kitchen and directly opposite the space held by the "steward," a space formerly occupied by Table No. 1. A permanently constructed wall will separate the pen from the rest of the diner.

At the time of Dr. Mays' ejection, the road segregated passengers by means of a drawn curtain, but policy provided that if Negroes did not present themselves in the diner after a "reasonable" time, their facilities could be turned over to whites. Colored passengers then could not occupy other seats, no matter how many were vacant, but must wait until their "reserved" but occupied facilities had been vacated by the whites. Sat.

NAACP attorneys for Dr. Mays, Thurgood Marshall, Robert L. Carter, and Spottswood W. Robinson, term this plan and the new proposal likewise violations of the Interstate Commerce Act and charge undue prejudice and disadvantage in that whites are given "undue preference." 10-19-47

Counsel's defense is based on precedents established in the Mor-

gan case in which the Supreme Court outlawed segregation in seating on buses engaged in interstate travel.

Refusal to Move Bars Use of Diner

(24) Afro American Baltimore Md.

1-Man Sitdown Strike Supported by Waiters

NEW YORK — The Southern Railroad was deprived of the use of one table and all diners were delayed for half an hour in the "white" section of the diner last Sunday when Bayard Rustin, race relations secretary of the Fellowship of Reconciliation, refused to move behind the green jim-crow curtain. Sat. 10-4-47

Traveling from Washington to Knoxville, Tenn., to speak at a youth rally, Rustin entered the diner for breakfast and sat at a table midway the car. When the train reached his desination six hours later at 3 p.m., he was still occupying the same seat.

Waiter's Help Vital

Rustin, who said that he will sue the railroad, declared, "The open moral support I received from all the waiters, who live in Roanoke, undoubtedly acted as a break on the trainmen who at one point were about to eject me bodily."

"The nervous steward, I believe, feared a general walkout by the waiters," added Rustin, who revealed that the white people were most sympathetic. Two of them, he added, intervened in his behalf.

Mr. Rustin was one of the 16 men who participated last April in the Journey of Reconciliation, a series of tests designed to determine the effect of the Supreme Court's Irene Morgan decision banning jim crow in interstate travel.

May Reach Supreme Court

Dining Car 'Curtain' Fight Gains Momentum

Pittsburgh Courier

(24) Pittsburgh, Pa.

By LEM GRAVES Jr.

(Pittsburgh Courier Press Service)

WASHINGTON—Declaring that "segregation in itself is discrimination," Atty. Belford V. Lawson Jr. last week filed exceptions to the findings of an examiner in the case of Elmer W. Henderson v. the Southern Railway Company and indicated that he intended to carry his suit for non-discriminatory dining car facilities to the highest court of the land.

Asserting that the Interstate Commerce Commission "does not perform its function and is a special pleader for the railroads," Mr. Lawson moved to appeal the examiner's ruling.

The legal action which seeks to compel the Southern Railroad to grant equal dining car privileges to Negroes in conformity with the national policy declared by the Supreme Court was instituted by Alpha Phi Alpha Fraternity, of which Mr. Lawson is national president. Sat. 5-17-47

FILED IN 1942

Mr. Henderson, recently appointed director of the National Counsel for a Permanent FEPC, filed a complaint with the Interstate Commerce Commission alleging that the railway company had, on May 17, 1942, unjustly discriminated against him by failing to furnish him with dining car service equal to that furnished white passengers. This complaint was filed Oct. 10, 1942.

The ICC dismissed the complaint on the grounds that the Southern Railway's dining car regulations, setting aside a segregated "stall" consisting of one table behind a curtain were adequate and that no further order was required.

Mr. Lawson then filed suit in the Maryland District Court to have the commission's findings set aside. The court held that "substantial equality" was denied colored passengers by the regulations of the company and remanded the case to the ICC for further hearing. Sat 5-17-47

NEW REGULATIONS

The railroad then issued new regulations citing the proposed erection of a partition and a rule forbidding whites to occupy the table reserved for Negroes. Walter D. McCloud, court examiner, reported that the new regulations conform to the principles announced by the court, that four seats set aside by the railroads are adequate, that exclusive reservations are held for colored passengers, and that the use of "curtains or partitions" results in "substantial equality." He recommended dismissal of the complaint.

Mr. Lawson filed exceptions to this report and told The Courier that the Alpha Fraternity, which has adopted this case as a national project, would not abandon the case until it had been presented to the Supreme Court.

All-White Jury Rules Against Jim-Crow Dining Car Curtains

Pittsburgh, Pa. Courier Sat. 4-26-47

(24)

LOUISVILLE—(ANP)—An all-white jury here last week ruled against the practice of railroad jim-crow dining car curtains by awarding two Negro passengers $800 in a $25,000 suit against the Louisville and Nashville Railroad Company.

The two-day trial was climaxed by an impassioned appeal to the democratic consciousness of white Kentuckians by Atty. Charles W. Anderson Jr., a member of the State Legislature, who pointed out that the underlying democratic principle was more important than the $25,000, which he suggested be reduced to a $500 judgment. Sat. 4-26-47

Stirred by his argument, the jury huddled, then returned a verdict in favor of James E. Stamps of Chicago, president of the Fisk University Alumni Association, and Ennis L. Powell of Charleston, W. Va., the Supreme Liberty Life Insurance Company's manager for the State of West Virginia, who were denied the right to eat breakfast outside the jim-crow dining car curtain on the Louisville and Nashville Railroad's train on March 17, although all the tables behind the curtain were occupied and vacant tables remained in the so-called "white" section of the diner.

Stamps and Powell were returning home from an executive committee meeting of the Fisk University Alumni Association at Nashville when they encountered the discrimination aboard the train.

Railroad Denied New Trial in Bias Case

Pittsburgh, Pa. Courier

24 Dining Cars Sat. 6-14-47

LOUISVILLE—(ANP)—Judge Roscoe Conkling of the Jefferson Circuit Court, decided here last week that the L. & N. Railroad did not have sufficient cause to justify a new trial against James E. Stamps and Ennis L. Powell, who won an $800 damage suit against the railroad for refusing to serve them in the dining car of the train upon which they were riding March 17, 1946.

On April 16, this year, after a two-day trial, an all-white jury returned a verdict in favor of the plaintiffs. Immediately, the railroad, through its attorneys, filed a motion and grounds for a new trial and to have the verdict of the jury set aside.

The railroad contended that the verdict was flagrantly against the weight of evidence and was rendered as a result of passion and prejudice; secondly, that the damages awarded were excessive; thirdly, that the court erred in admitting incompetent evidence offered by the plaintiffs, and in refusing to admit competent evidence by the railroad; and, that the jury, while in the jury room deliberating the case, was guilty of misconduct.

PREJUDICE CHARGED

One white juror, C. A. Pennington, was charged with prejudicing the minds of the other jurors against the railroad and influencing them to give a verdict in favor of the plaintiffs.

Judge Conkling ruled, however, that the misconduct, if any, on the part of the jury was not sufficient to warrant a new trial, and that the case had been so ably handled by Attys. Sidney A. Jones, Chicago; Charles W. Anderson Jr. and Benjamin F. Shobe, Louisville, that there were no errors in the record sufficient to set aside the verdict of the jury.

The railroad has sixty days in which to carry the case on appeal to the Court of Appeals of Kentucky, the highest court of review in the State. Anderson expressed doubt that after two defeats in the Louisville circuit court the railroad would prosecute an appeal.

DENIED SERVICE Sat. 6-14-47

This is believed to be the first case in which an all-white jury, four of whom were opposed to Negroes and whites eating together, has returned a substantial verdict in favor of Negroes, $300 more than was recommended by the plaintiff's counsel, because of the refusal to serve a Negro in the main body of a dining car in a Southern State. For some time the L. & N. Railroad has used a curtain behind which Negro passengers have been required to eat.

Sat. 5-3-47

THE INTERSTATE COMMERCE Commission has ruled that it is okeh for the Southern Railway to reserve one table for Negroes in its dining cars. Perhaps it is a wise and kindly provision that separates those whose forbears helped preserve the Union from those whose grandfathers sought to destroy it! Spanish Fascist newspapers, please note! Pittsburgh, Pa. Courier

CONFUSION ON DINING CARS

Afro-American Baltimore, Md.

(24)

An all-white jury at Louisville, Ky., recently decided that the practice of the Louisville and Nashville Railroad in putting up jim crow curtains in its dining cars was illegal and undemocratic in principle.

Almost simultaneously the Interstate Commerce Commission, through one of its examiners, declared that the practice "does not violate provisions in the ICC Act prohibiting discrimination against any passenger."

The fact that a jury of Southern whites admits an inequality which an agent of the Federal Government seeks to defend and to perpetuate, gives some idea of the problem faced by President Truman's Committee on Civil Rights.

Here again, we witness the attempt to prove that segregation is not discriminatory if "equal" services and facilities are provided. We have always contended that segregation, as we know it, imposes unequal treatment.

The wide disparity in interpretation of regulations such as this indicates clearly the need for the establishment, by legislation, or otherwise, of effective means and procedures for the protection of civil rights. Experience has shown that the only effective protection which we can expect must come from affirmative Federal action. Sat. 5-3-47

Consequently, when we find the Federal Government lagging behind the thought and action of the enlightened South, we realize the vital need for a clarification which will settle once and for all this matter of distinctions based upon race and color.

In this connection it is important to note that in the recent ICC opinion in the case of Dr. Benjamin Mays vs. Southern Railroad, there were two dissents based upon the principle that the "race of a passenger may not constitute a valid basis for any differentiation or segregation in the course of interstate travel. . . ."

This was taken, of course, from the court opinions in the Irene Morgan vs. Virginia, and the Matthews et al. vs. Southern Railroad cases, which many of us believed had settled this matter once and for all. Sat. 5-3-47

If the President's committee can draw up and have adopted legislation covering this section of civil rights governing transportation, it will have done much toward justifying its creation.

Not Satisfied With ICC Report On Diner Service

Atlanta, Ga. Daily World

(24)

Plaintiffs' Counsel To File Exceptions

Sat. 7-19-47

CHICAGO—(ANP)—Attorneys for James E. Stamps of Chicago and Ennis L. Powell of Charleston, W. Va., both of whom were refused service on a Louisville and Nashville dining car on March 17, 1946, are not fully satisfied with certain conclusions reached by Examiner Charles W. Berry, of the Interstate Commerce Commission, in his proposed report to the commission.

The attorneys, Sidney A. Jones of Chicago and Belford V. Lawson Jr. of Washington, are in complete agreement with the part of the report, which states that "the commission should find that the refusal to serve breakfast to complainants March 17, 1946, when they presented themselves at the dining car, was unduly prejudicial to complainants and unduly preferential to white passenger, served after complainants demanded service and before complainants were advised that they would be served. It should, further find that it is and for the future will be unreasonable for defendant to require the separation of white and Negro passengers in dining cars."

It is the following part of the report to which the attorneys take exception and which they state will be "fought all the way to the supreme court." Separation of white and Negro passengers is unreasonable "unless" the railroad "establishes and maintains definite and specific rules and regulations requiring such separation and unless these rules and regulations are published in its tariffs, train schedules, or posted in its stations or in some other manner made available or known to passengers or prospective passengers at the time or before they purchase their tickets." Sat. 7-19-47

APPROVE JIM CROW

The attorneys believe that these exceptions attempt to approve the separation of Negroes and whites in dining cars provided certain rules and regulations are published. They contend that racial segregation of an interstate passenger is of itself a violation of the Interstate Commerce act and the 14th amendment.

In their earlier argument before Examiner Berry, they relied on the recent supreme court decision in Morgan vs. Virginia which stated: "It seems clear to us that seating arrangements for the different races in interstate motor service require a single uniform

rule to promote and protect national travel."

The plaintiffs have until July 22, 1947, to file exceptions and objections to the report with the Interstae Commerce commission.

In a suit for damages against the L & N railroad in Louisville, the plaintiffs were awarded $800 by an all-white jury. The trial judge refused to set aside the jury's recommendation.

Here's Secret Order Setting Up Jim Crow Dining Tables

Louisville 1, Kentucky
November 9, 1946
A—
Files: 84—
1607
1608
1597

PERSONAL
Mr. W. E. Harned
Mr. J. R. Nettles
Mr. M. T. Mehr

Mr. H. H. Ruppenthal
Mr. F. S. Biggs
Mr. M. L. Nettles

When the new streamlined trains go in service, it has been decided that the separation curtains should be hung, at all times, at the dining room end of car for, if they are hung at the pantry end of car they would obstruct the view of the foyer, and would also prevent the steward from having a view of the dining room.

Effective this same date, it has been decided to reserve a section for colored passengers, at all times, and this section is not to be used for white passengers,—even though the colored section is not occupied and white passengers are standing.

I do not care to write a circular to the stewards but, effective this same date, November 17th, we should reserve a section for colored passengers' exclusive use on all of our diners. We believe this will prevent criticisms, due to white passengers occupying space reserved for colored passengers.

Now that business has fallen off, I do not believe this will cause much delay in serving white passengers, and it should prevent complications such as we have had when colored passengers come to the diner and white passengers are occupying space that should have been reserved for them.

As we intend to reserve one of these sections and keep the curtains drawn on all diners, November 17th, therefore, the curtains should be hung, at all times, at the dining room end of car as I do not believe they should be hung at the kitchen end, where the steward cannot observe what is going on in the dining room.

I will ask that you make every effort to give this information to the stewards on all cars so the arrangement can be put in effect November 17th, or as soon thereafter as possible.

Please treat this letter confidential, as I do not care to go on record in this matter.

P. A. Wagner, Sup't of Dining Cars.

P. A. WAGNER
Superintendent, Dining Car Dept.

Muriel Rahn And Husband Insulted In Dixie Diner

Chicago Defender, Chicago, Ill.
Sat. 8-23-47

GREENSBORO, N. C.—Muriel Rahn, noted concert singer, had her first taste of the South's Jim Crow last week when she was refused a seat in the dining car of the Southern Railway's Piedmont Limited.

Entering the car with her husband, Dick Campbell, Miss Rahn was told by F. E. Newman, white steward, that the Southern system doesn't give a hoot about federal laws barring discrimination in interstate travel. Sat. 8-23-47

Sits At Soldiers' Table

Miss Rahn, who had boarded the train after her concert appearance here at the convention of the New Farmers of America, entered the curtained off section of the dining car which by Dixie tradition is reserved for Negroes. There were two tables there, one occupied by two white soldiers. The other was in use by three Negro diners. Sat. 8-23-47

Thinking that the soldiers were defying the Jim Crow law since more than 20 seats were empty in the white section of the car, Miss Rahn and her husband sat down with the soldiers. Sat. 8-23-47

When they called for a menu Newman ordered them out of the places they had taken.

Campbell, pointing out that it was the whites who were breaking the law, asked why they were not made to move. He challenged Newman to produce a copy of the law, or some other proof, that he and Miss Rahn were the guilty parties. "Negroes are entitled to two tables behind this curtain," he said.

"Just Stand And Wait"

Newman replied that "The Southern reserves one table behind the curtain for your people and since that one is occupied, you'll just have to stand and wait."

When Campbell protested that this was a breach of federal law, Newman said, "We're not operating under the government any more. We're working under the Southern Railway system. We get our orders from them now."

The two soldiers, one a lieutenant, the other a non-com from Virginia began to abuse Miss Rahn and Campbell, who however refused to leave the table. The Pullman conductor, J. T. Embry was called and produced the new ruling of the Southern, issued from the office of the vice president at Washington, in which only one table is to be set aside for the use of Negroes. It was signed by R. K. McClain. Sat. 8-23-47

Wouldn't Give Names

The three Negro diners refused their names as witnesses, saying they lived in the South and couldn't afford to get into the controversy. The soldiers became so abusive that Miss Rahn persuaded her husband to leave the diner.

The waiters were frightened and cowed, although one A. J. Hill of Atlanta, offered to serve the couple in their car later. The Campbells are in conference with lawyers in New York to learn what legal action should be taken.

Judge Denies New Trial To L & N For Jim Crow On Southern Diner

Chicago Defender, Chicago, Illinois
Sat. 6-14-47

LOUISVILLE — (ANP) — Judge Roscoe Conkling of the Jefferson Circuit Court decided here last week that the L. & N. Railroad did not have sufficient cause to justify a new trial against James E. Stamps and Ennis L. Powell, who won a $800 damage suit against the railroad for refusing to serve them in the dining car of the train upon which they were riding March 17, 1946.

On April 16, this year, after a two-day trial, an all-white jury returned a verdict in favor of the plaintiffs. Immediately, the railroad, through its attorneys, filed a motion and grounds for a new trial and to have the verdict of the jury set aside.

Railroad Charges Prejudice

The railroad contended that the verdict was flagrantly against the weight of evidence and was rendered as a result of passion and prejudice; secondly, that the damages awarded were excessive; thirdly, that the court erred in admitting incompetent evidence offered by the plaintiffs, and in refusing to admit competent evidence by the railroad; and, that the jury, while in the jury room deliberating the case, was guilty of misconduct.

One white juror, C. A. Pennington, was charged with prejudicing the minds of the other jurors against the railroad and influencing them to give a verdict in favor of the plaintiffs.

Judge Conkling ruled, however, that the misconduct, if any, on the part of the jury was not sufficient to warrant a new trial, and that the case had been so ably handled by Attys. Sidney A. Jones, Chicago; Charles W. Anderson Jr., and Benjamin F. Shobe, Louisville, that there were no errors in the record sufficient to set aside the verdict of the jury. Sat-6-14-47

The railroad has 60 days in which to carry the case on appeal to the Court of Appeals of Kentucky, the highest court of review in the state. Anderson expressed doubt that after two defeats in the Louisville Circuit Court the railroad would prosecute an appeal.

This is believed to be the first case in which an all-white jury, four of whom were opposed to Negroes and whites eating together, has returned a substantial verdict in favor of Negroes, $300 more than was recommended by the plaintiff's counsel, because of the refusal to serve a Negro in the main body of a dining car in a southern state. For some time, the L. & N. Railroad has used a curtain behind which Negro passengers have been required to eat.

Stamps, president of Fisk University Alumni Association and manager of the Southside office of the Social Security Board in Chicago, and Powell, manager of the West Virginia branch of the Supreme Liberty Life Insurance Company of Chicago, were en route from Nashville to Cincinnati when the dining car steward refused to serve them breakfast at the only vacant table in the diner, which was located in front of the curtain.

Stamps and Powell, in turn, later refused to be served in their drawing room. The pair also refused to return to the segregated seats in the diner on the grounds that they had already been humiliated and did not have time to eat before the train arrived in Cincinnati.

Mays Jim Crow Case Taken To Commerce Unit

Daily World Atlanta, Ga. Sunn 1-26-47

Morehouse Head's Complaint Heard On January 9

24 En Route

WASHINGTON, D. C.—Attorneys for the NAACP, representing Dr. Benjamin E. Mays, distinguished educator and president of Morehouse College in Atlanta, Georgia, carried the college head's complaint against the Southern Railway to the entire Interstate Commerce Commission in this city on Monday, January 9th.

Dr. Mays filed his complaint against the railroad after a trip between Atlanta and New York during which he was subjected to "undue discrimination" in one of the company's dining cars. In addition to the complaint, Dr. Mays is seeking $2,500 in damages, following the refusal of the railroad to serve him in the dining car.

AMENDMENT CLAIMED

Since the complaint was filed the railroad claims that its dining car regulations have been amended. According to the company's claims it is now setting aside one table in the dining car for the exclusive use of colored passengers, the rest of the car to be operated exclusively for the use of whites. The so-called Negro table is to be next to the pantry and kitchen portion of the train, the section usually avoided by passengers because of the excessive heat and discomfort. The railroad will install an "office" in this "section" for the steward with a cash register and other necessities.

Daily World Atlanta, Ga. 24 En Route

It was pointed out in the arguments by NAACP attorneys Thurgood Marshall, Robert L. Carter and Spottswood Robinson, III, that this case comes under the principles of the Irene Morgan case; and that the segregation regulation of the railway, passed in the light of state statutes which require the separation of the races, was invalid; and that the new regulation failed to satisfy the requirements of the Interstate Commerce Act which forbade undue preferences and unjust discrimination. Fri. 1-26-47

ICC Rules Dr. Mays Treated Unfairly In Diner, Rejects Pay

Memphis World Memphis Tenn.

24

Fri. 4-25-47

WASHINGTON—(SNS)—The Interstate Commerce Commission held Friday that President Benjamin E. Mays, of Morehouse College, Atlanta, was subjected to "undue and unreasonable prejudice and disadvantage" when he failed to get served in a Southern Railway diner in October, 1944.

The Commission rejected President Mays' plea for $2,500 damages, however.

According to the commission, the Southern Railroad since has revised its arrangements for serving Negro passengers to provide equality of service in a specially reserved and partitioned compartment in its dining cars. Fri. 4-25-47

(In its newly constructed dining cars, the Southern has constructed a steel particion around a table set aside for Negro diners. A curtain seperates the races in old cars, but many times not enough service is available to would-be diners, according to reports.)

Dillard Teacher Sues Railroad

Afro-American Baltimore Md. Sat. 4-19-47

Asks $10,000 Damages for Conductor's Abuse

NEW ORLEANS—Charging she was mistreated, humiliated and physically abused while a passenger on April 7, 1946, Miss Bertha M. Sawyer, Dillard University instructor has brought a suit for $10,000 against the Louisville and Nashville Railroad Company.

Miss Sawyer, represented in United States District Court here by A. P. Tureaud, attorney, said she had complained repeatedly to railroad officials of the conduct of one of their employees but to no avail. *Sat. 4-19-47*

She charged that she was traveling on a first class ticket from Checkhaw, Ala., to New Orleans, and, unable to obtain a berth, was seated in a coach reserved for white persons.

Was Interstate Passenger

A conductor told her to find a seat in the other coach, and when she could not do so, and returned to her original seat, another conductor asked if she were white.

"I said that wasn't the question involved; I had a first class ticket, was an interstate passenger and was not subject to any inconsistent state law," Miss Sawyer said.

She declared that the conductor pushed her around and said he wished he had her where he could give her what she "deserved."

Mays R.R. Suit Heard by ICC

Afro-American 1-18-47 Sat. Baltimore, Md.

Southern Ry. Circular Invalid, Say Counsel

WASHINGTON

The $2,500 damage suit of Dr. Benjamin E. Mays, president of Morehouse College, Atlanta, against the Southern Railway which is charged with failure to serve him on a dining car traveling through South Carolina in October, 1944, was heard before the Interstate Commerce Commission here Thursday.

In addition to the damages sought, Dr. Mays asks that the ICC issue a cease and desist order to restrain the railroad company from such discriminatory practices in the future.

Attorneys who argued the case on behalf of Dr. Mays were Thurgood Marshall, attorney for the NAACP, Spottswood Robinson of Richmond, Va., and Robert L. Carter of New York City.

Ejected by Force

Dr. Mays contends that on Oct. 7, while traveling from Atlanta to New York City on a first class ticket, the steward of the defendant railroad refused to allow him to eat in the dining car, although there was a four-seat table vacant, and ejected him from the car by force.

Attorneys for the railroad argued that the railroad company considered itself bound to follow the laws of the several States through which the train passed, including South Carolina which requires the segregation of races.

Regulation Held Invalid

Dr. Mays, however, contended that such a regulation issued by the railroad company to its employees has not been published or filed with the ICC and therefore is invalid.

The regulation issued by the Southern Railway Company on Aug. 6, 1942, identified as "Joint Circular No. 61" and addressed to all stewards reads as follows:

"Effective at once please be governed by the following with respect to race separation curtains in dining cars.

"Reserved" Card Ordered

"Before starting each meal pull the curtains to service position and place a "Reserved" card on each of the two tables behind the curtains. *1-18-47 Sat.*

"These tables are not to be used by white passengers until all other seats in the car have been taken, then, if no colored passengers present themselves for meals, the curtain should be pushed back, cards removed and white passengers served at those tables.

"After the tables are occupied by white passengers then should colored passengers present themselves they should be advised that they will be served just as soon as those compartments are vacated.

"'Reserved' cards are being supplied you."

Same Rules for All Sought

Attorneys for Dr. Mays argued that he was refused service because of his color and that the statutes relied upon by the railroad to segregate first class passengers cannot apply to passengers traveling in interstate commerce.

Counsel for Dr. Mays argued that uniformity in the regulations by which a carrier is to be governed from one end of his route to the other is a necessity in his business.

State's Authority Questioned

They said that attempt of the States to subject interstate traffic within their boundaries to their legislative policy of segregaion or non-segregation is in opposition to the ICC setup.

Each State, they argued, could not adopt legislation on the subject, and the various enactments could vary in provision, a compliance with all of which would produce the kind of confusion and embarrassment in the midst of which commerce could not flourish.

Medics Ask $30,000 Damages From R'road

Atlanta, Ga. Daily World Wed. 6-25-47

NEW YORK— (ANP)— A suit was filed in Brooklyn Federal court here last week by two physicians, asking $30,000 damages from the Atlantic Coast line and Pennsylvania raildoads for an alledged jim crow and assault incident which occurred in 1942. *Wed. 6-25-47*

The physicians filing the affidavit were Dr. Arthur M. Lee and his wife, Dr. Eulalie M. Lee. The woman's complaint charged that she had been assaulted by railway employees near Philadelphia and Washington and had been thrown off the train onto the tracks outside her destination at Fayetteville, N. C. She said she was enroute to Fort Bragg to visit her husband who was at that time an army captain stationed in Fort Bragg. The couple's six-year old son was with her.

Her affidavit further stated that she had been molested for most of the trip because she insisted her tickets had ben sold with the assurance she could keep the same seats all the way and refused to move to a jim crow car.

As a result of her being thrown on the tracks outside of Fayetteville the woman suffered injuries which reduced her capacity to practise her profession. She asks $25,000 damages.

In a companion suit, her husband asks $5,000 for loss of her services. The couple is represented by Attorney Harry H. Lipsig. Both railroads have entered affidavits denying knowledge of the incident.

IS THE SOUTHERN KIDDING?

"How can we tell when we get to the South?"

By friendlier smiles? By warmer handclasps? By charming tradition and gracious living? *Naturally!*

But there's another way you can tell when you get to the South these days... by the way business is booming... by the number of new factories being built... by the tremendous industrial activity... by the contagious optimism of Southern industrialists.

In this fast-growing industrial region, new factories are springing up day after day all along the 8,000 miles of the Southern Railway System that "Serves the South." And new plants and old are expanding and prospering... heading toward a still greater, more productive future.

Would your business thrive in this industrial opportunity-land? *Definitely!*

"Look Ahead—Look South!"

Ernest E. Norris
President

SOUTHERN RAILWAY SYSTEM
The Southern Serves the South

Afro-American Baltimore, Md.

If the Southern Railway System, whose advertisement (shown above) recently appeared in nationally circulated magazines, really wants an answer to its question, it should ask us. *Sat. 3-22-47*

And if it did, we'd know that the Southern was kidding. This is the same Southern Railway which the U.S. Court of Appeals for the District of Columbia last September held had violated the law by providing separate jim crow accommodations for interstate travel.

The decision was handed down in the AFRO's suit against the railroad in behalf of the Rev. William H. Jernagin, Ralph Matthews and William J. Scott, who were ejected at Lynchburg, Va., from a Southern Railway train while en route from Philadelphia to Greensboro, N.C.

At Alexandria, Va., and again at Charlottesville, the conductors and others of the train crew asked that they move to seats in a jim crow car. They refused. When the train reached Lynchburg, they were ejected. The AFRO's suit followed.

Yes, we can tell when we get to the South. Any colored American, as a result of bitter experiences, can answer that question. How can we tell? Here are just a few signposts:

1. When you are asked to give up your first-class accommodations and move to the jim-crow, baggage-passenger combination coach behind the engine;

2. When curtains are drawn around the section of dining car which you occupy, as if you have some contagious disease;

3. When you are forced, sometimes in the middle of the night, to get off at some deserted one-horse way station for a "connection" because the car to which you have been assigned does not go through to your destination;

4. When "For White Only" and "For Colored Only" signs sprout up as if by magic;

5. When the express on which you have been riding suddenly becomes a local, with jerky stops every few miles;

6. When you are blandly told that there are no first-class reservations available when you have already confirmed same over the telephone—

These, we tell the Southern Railway System, are some of the ways WE can tell when we get to the South.

CRACK JIM-CROW TRAIN
TARGET OF NAACP SUIT

August 22, 1947

New York, Aug 22nd--The requirement by the Southern Railway Company that Negro coach passengers be segregated on the Southerner, crack train from New York City to New Orleans, is unreasonable and should be set aside by the Interstate Commerce Commission according to a brief filed by the National Association for the Advancement of Colored People with the ICC today in a suit on behalf of Vashti Brown, Lillian Falls, and Muriel Holcombe against the railroad.

The brief was filed in support of exceptions to a report of an examiner of the ICC and was prepared by Attorneys Spottswood W. Robinson, III, Thurgood Marshall, and Robert L. Carter. The examiner's report had found that the accommodations furnished to Negro passengers were "substantially equal" to those provided for white passengers and that a regulation requiring segregation is reasonable. The brief took the position that the railroad is without authority to adopt such a regulation, basing much of its argument upon the logic of the Irene Morgan decision where the Supreme Court struck down a Virginia law requiring segregation of interstate bus passengers because "It seems clear to us that the seating arrangements for the different races in interstate motor travel require a single, uniform rule to promote and protect national travel."

The brief also pointed out that any such regulation is unreasonable since it is based upon a supposed necessity to maintain the safety of passengers and to avoid conflict among passengers. Yet, pullman cars are operated by the Southern Railway Company throughout the South without any segregation and their successful operation without clashes among the passengers proves conclusively that such segregation is not necessary in the coaches. It is pointed out that in some cases, the same train will carry segregated coaches and unsegregated pullman cars.

Finally, the brief points out the dirty, uncomfortable nature of the cars set aside for Negro use as compared with the modern, clean and shining cars for the whites. After listing all the many differences between the two types of accommodations, the brief says that except for an absolute refusal to transport Negro passengers, it is hard to see how accommodations could be more unequal.

Minister Refuses to Give Up Rear Bus Seat, Fined

Afro-American Baltimore, Md.
Sat. 6-14-47

College Teacher Appeals Penalty, Called 'Disorderly' for Ignoring Driver's Bid

JACKSONVILLE, Fla. — Jim crow again raised its ugly head here last week, when the Rev. J. P. McMillan, prominent educator and clergyman, was insulted, arrested, and fined $25 in Municipal Court, on a trumped-up charge of disorderly conduct on a bus.

The minister, an instructor at Florida Normal College in St. Augustine and State agent for that institution, will appeal the fine, S. D. McGill, his attorney, announced.

He was arrested on a Greyhound bus here while en route from St. Augustine to Sparta, Ga., on business for the school.

Refused to Move

The Rev. Mr. McMillan said he went immediately to the rear of the bus where other colored passengers were when he boarded it in St. Augustine.

On arriving at the bus station here, the driver ordered him to move when some white passengers boarded the bus. This he refused to do. The driver summoned a police officer who arrested the minister.

Sat. 6-14-47

He was released in $25 bond posted by the Rev. A. B. Coleman pastor of Shiloh Baptist Church, and fined that amount the next morning.

General

Railroad Handbook On Interstate Travel Urges Disguised Jim Crow

Chicago Defender

WASHINGTON — The Atlantic Coast Line Railroad company has issued a handbook of instruction, purportedly aimed to facilitate handling the "difficult problem" of transporting Negro passengers, which in their language, "touches a sensitive area of social policy."

Actually, the book is said to have been issued to take the legal heat off of conductors, trainmen, and other train personnel, members of the Brotherhood of Railroad Conductors and Trainmen, who have refused to take the responsibility for carrying out the carriers' veiled policy for handling Negro interstate passengers.

Sat. 9-13-47

Draws Race Line

The book of "instructions as to passenger train accommodations for different races" was issued jointly by L. T. Andrews, general superintendent transportation, and James B. Sharpton, passenger traffic manager.

The new Atlantic Coast Line handbook draws a definite discriminatory line between Negro interstate passengers, and Negro intrastate passengers.

For example, in the matter of assigning Pullman space, the instructions set forth that colored persons, whether interstate or intrastate passengers, requesting room accommodations, "should be assigned the space requested, provided it is available at regular tariff rate for such space."

Sat. 9-13-47

"Enclosed" Seating

However, where berth or seat space is requested, the problem takes on a different hue. For interstate passengers the instructions read, "Colored persons requesting berth or seat space should, if available, be assigned to berth or seat in drawing room, compartment, bedroom, or other type of enclosed accommodation, at regular tariff berth rate for night service or seat rate for day service, as the case may be. If no enclosed accommodations are available, they should be assigned berth or seat space in the body of the car, if available."

Conductors are warned, however, "Where possible, passengers of different races should not be assigned to space in the same section or in directly opposite sections." The regulations require that intrastate passengers may be sold berths or seats in enclosed accommodations only, at berth or seat rates.

24 Ajna

Two Negro Tables

The instructions continue the practice of penning Negroes off in the two tables at the kitchen end of the dining car, separated from the remainder of the car by curtains or a permanent partition.

Chicago Defender

Stewards are admonished, "The two tables at first station, kitchen end of car, shall be reserved exclusively for colored passengers and the other tables in the diner shall be reserved exclusively for white passengers."

Further, they are instructed, "No white person shall be permitted to occupy the seats reserved for colored persons, and no colored person shall be permitted to occupy the seats reserved for white persons."

Chicago, Ill.

Sat 9-13-47

To Warn Passengers

While the handbook instructs that "Colored interstate passengers occupying sleeping or parlor car space in trains providing lounge, club, tavern, recreation or observation car service, or coach space in trains providing similar facilities for coach passengers, may have the use of such accommodations," trainmen are told to "tactfully suggest" to such passengers "that in view of the segregation of races in states through which the Atlantic Coast Line Railroads operate, and the delicate situation arising when a comingling of the races occurs, such passengers MAY CHOOSE to not avail themselves of such facilities."

It then suggests, "in which event substitute service, to the extent possible will be brought to them at their location in sleeping car, parlor car or coach. This is not to be considered as a prohibition," it adds, but rather as an effort to safeguard passengers from disagreeable circumstances."

Lounge, club or tavern car service is absolutely prohibited for intrastate passengers except in enclosed accommodations.

As a final warning, train personnel are told, "Situations over which this company has no control may arise. Tact and diplomacy should be exercised in handling each case. When in doubt, time permitting, consult your immediate superior officer or the nearest one available."

24 1947

General

NAACP ASKS PUBLIC HEARINGS ON ANTI-JIM CROW TRAVEL BILL

Washington, D.C., Mar 5th--The Washington Bureau NAACP called on Congressman Charles A. Wolverton (R., N.J.), Chairman of the House Interstate and Foreign Commerce Committee, to hold early public hearings on the Powell Anti-Jim Crow Travel Bill, HR-280.

Congressional action to end segregation as it applies to passengers in interstate travel was urged because of developments since the U. S. Supreme Court decided the Irene Morgan Case last June. The decision declared unconstitutional state laws which require racial segregation on bus and trains carrying passengers between the states. However, it did not prohibit the bus companies and railroads from themselves adopting regulations requiring Jim-Crow seating arrangements. Accordingly, most of these carriers now enforce their own rules against Negroes and whites sitting together.

Leslie Perry, speaking for the NAACP, told the House Interstate and Foreign Commerce Committee that:

"Jim-Crow travel practices have caused endless inconvenience, humiliation and hardship to hundreds of thousands of Negro citizens traveling between the states.

"In spite of the fact that colored passengers pay the same fares as whites, the accommodations assigned to them are always inferior. They are tired of riding in the back half of baggage cars; they are tired of riding over the wheel on the back of buses; they are tired of not being able to get a meal on a dining car without being hidden behind a curtain.

"Your Committee has the power to make a full-scale investigation of this entire situation, and we respectfully urge that you schedule public hearings at an early date on the Powell bill."

Lawson Files Exceptions With I.C.C.

Says New Rules Hurt More Than Replaced Order

WASHINGTON, D. C., (NNPA) The dining car regulation of the Southern Railway, reserving one table behind a curtain for the exclusive use of colored passengers, is more disadvantageous and discriminatory than the regulation it replaced.

This contention is made by Belford V. Lawson, attorney for Wilmer W. Henderson, recently appointed executive secretary of the National Council for a Permanent Fair Employment Practice Commission.

Mr. Lawson last Monday filed with the Interstate Commerce Commission exceptions to the proposed report of Walter D. McCloud, an ICC examiner, who found that the new regulation conforms with the principles announced by the United States District Court for the district of Maryland.

Mr. Henderson sued in the federal court to set aside a finding of the Commission that the failure of the Southern to furnish dining car service to him while he was traveling on May 17, 1942, from Washington to Atlanta subjected him to undue and unreasonable prejudice and disadvantage, but that no basis was shown for an award of damages and that the dining car regulations then in effect would not result in any substantial inequality in treatment between colored and white passengers seeking dining car service.

CASE REMANDED

The federal court remanded the case to the Commission for further hearing. It denounced the practice of allowing white passengers to eat at the Jim Crow table and not allowing colored passengers to dine at other tables when the Jim Crow table was occupied and held that equality of treatment required the service of colored passengers at any vacant seat in the dining car when the Jim Crow table was occupied.

In the brief in support of his exceptions Mr. Lawson argues that the new regulation does not conform with national policy which requires a single, uniform rule covering seating arrangements in interstate travel.

The doctrine of "substantial equality," says Mr. Lawson, is "specious" and, in fact, is never achieved. He maintains that segregation itself is discrimination and should be abolished so that the practice on dining cars will conform with the national policy.

Morgan Case Aid

Mr. Lawson relies upon the decision in the Irene Morgan case, in which the United States Supreme Court struck down the Virginia law requiring colored passengers to seat themselves in the rear of buses traveling interstate.

Especially is a uniform rule required on dining cars, the brief states, because, "if the defendant relies, as it apparently does, on state statutes for a definition of 'colored passengers,' a passenger boarding a through train in New York City or Washington, D. C., whom the steward has decided is 'colored' may have to shift his seat from state to state during the course of a meal."

The brief adds that "This is certainly more onerous, disadvantageous and burdensome than it is for a passenger to be required to shift his seat at the driver's direction when he is not dining.

"If a state cannot do this because it prevents a single, uniform rule, there certainly can be no justification for a carrier's imposing such an inconvenience and burden.

"In fact, it imposes upon the defendant the burden of determining race or color, assigning seats, directing a change of seat, transferring food and silver, in addition to the expense of installing partitions which, of course, will be charged to colored passengers all of which is needless."

REQUESTS MADE

Mr. Lawson requests the Commission to find:

1. That the regulation fails to conform with the principles outlined by the federal court.
2. That the Southern's present dining-car regulations are unreasonable and violate the Interstate Commerce Act.
3. That the regulation violates the national transportation policy of the United States which requires a single, uniform rule for seating arrangements of passengers, without distinction on

N.Y. to Hear Speakers on Southern Travel

Box Score of Bus Tour

Journey of Reconciliation Knocks Props From Under Weak J.C. System

Afro-American Baltimore, Md.

History Made, but Victims Need Education, Says AFRO Observer; Students, Adults Aid

Sat. 4-26-47

By OLLIE STEWART

ASHEVILLE, N.C.—What important information was gained, what salient facts were discovered, and what contribution was made by the Fellowship of Reconciliation, on its two-week jaunt through the upper South?

I can not speak for the latter half of the trip, but based on what I saw, between Washington and Asheville, I think the "Journey of Reconciliation" knocked several props from beneath the already tottering Jim-Crow structure.

Much information on techniques of combatting segregation was gained; methods of reducing tension were discovered; bus riders, white and colored, were introduced to the problem of segregation, and a few of them were induced to view its evils in an entirely new light.

Under Terriffic Strain

These are my own conclusions. The group kept record of every incident, and may possibly come up with some startling information at the end of the trip. But these things I know to be true:

Tests of this sort put those making the experiment under a terrific strain.

After three days, I noticed that every member of the group, on approaching the bus station, scene of the test was tight-lipped and grim. Two or three confided to me that they hadn't slept well at all after leaving Washington.

Confidentially, this reporter did not sleep much at all until he left the group in this hilly town on the edge of the Tennessee border.

Eduation Urgent Need

As indicated in an earlier article, I feel that the tests revealed, most of all, a desperate need for education among the persons who stand to profit most by the breaking down of segregation—colored people in the low income group.

The most vicious criticism of the young men who risked their lives by sitting in the front of the buses came from our people.

The most impatient persons when a bus was delayed were our folks. The only people I heard say: "He should know his place" —were those whom this experiment is designed to benefit most.

Ashamed, Almost Weep

Frankly, on at least a dozen occasions, I was so ashamed of things I heard I wanted to weep in shame. Sat. 4-26-47

"He wants to be white," one man said. "You can't do down here what you do up North," a woman declared.

And just before this was written I sat in a barber shop and heard a barber and a customer literally nail the whole group to the cross for being "trouble makers."

Fear in Small Cities

Another thing I noticed was the fear in small cities to be connected with the project in any way.

In Greensboro, there was only a small crowd at the Presbyterian Church. In Winston-Salem, the meeting was called off. In Asheville, there were more white people at the YWCA than colored—as was true in Chapel Hill.

Southern people have lived so long with their heads down they seem actually afraid to look up and see the light.

Fund Promised Withheld

The fact that several cities promised to contribute money to help the project along—and failed to do so—may also be traced to the same fear of being connected with northern "trouble makers."

In one city, which has wealthy colored families, the Fellowship group received only $10.

Students Aroused

If they did nothing else, the Fellowship party aroused the fighting spirit of the young people in college.

I was surprised at the number of students who expressed a desire to join the group, but had no money with which to pay their expenses.

A few, like young Reeves at A. and T., have already tested the Irene Morgan decision on their own—and a series of suits are due to fill the courts within the next few months.

Courageous Whites

For my part, I am glad to have had even a small part in the project — even that of an observer. History was definitely made.

White and colored persons, when the whole thing was explained to them as they sat in their seats on several occasions, will never forget what they heard.

The white couple who went to the very back seat and sat between colored passengers; the white Marine who slept while a colored woman sat beside him;

The white Southern girl who, when her mother wouldn't take a seat in the rear, exclaimed: "I do not care—I'm tired"—all these people now have an awareness of the problem. Sat. 4-26-47

Called Pioneers

The "Journey of Reconciliation," with white and colored traveling and sleeping and eating together, to my way of thinking, made solution of the problem of segregation seem far more simple than it ever had before.

I heard one man refer to the group as pioneers. I think he had something there. They wrote a new page in the history of America.

The Highway

by Charles H. Houston

Afro-American

After the U.S. Supreme Court last June decided in the case of Morgan vs. Virginia that State segregation laws do not apply to interstate bus travel, the Fellowship of Reconciliation and the Congress of Racial Equality decided to sponsor a "Journey of Reconciliation" through the South to determine how far the bus and railroad companies were honoring the decision. Baltimore, Md.

They sought to find out the reaction of bus drivers, passengers, police and general public to a nonviolent challenge of jim crow in interstate travel.

Visited 15 Cities

During a two-week period from Apr. 9 to Apr. 23, an interracial group of 16 men, split up in small teams, visited 15 cities in Virginia, North Carolina, Tennessee and Kentucky. Sat. 6-14-47

Each team was composed of at least one white man and one colored person. Quietly but deliberately they sat together on busses and trains, or a white man would sit in the so-called colored section and the colored man in the so-called white section.

When challenged, they would firmly but quietly refuse to move, explaining that in their opinion the State segregation law did not apply to them. They never permitted themselves to be led into altercations or brawls.

They were threatened repeatedly, but the only act of violence occurred at Chapel Hill, N.C., where that the police would have to arrest him too. He then took a seat in the rear.

Police arrested him. Both were sentenced to 30 days in jail, and are now at liberty under an appeal bond. Sat. 6-14-47

Altogether during the two weeks of the trip, 26 tests of company policies were made. There were 12 arrests. Interestingly enough there was no police violence.

The group was always polite and considerate of the police, accepting the fact the police were simply on hand to obey orders; and the police responded by being polite and calm in turn.

Crowds a Danger

The group found the greatest danger of violence came from crowds outside the busses where the crowd could not see and hear what was actually going on and would get stirred up by rumors and bits of hearsay.

The group held more than 30 speaking engagements before church, NAACP and college groups in the cities visited, explaining the Morgan decision and the experiences they were having on the busses and trains.

A report on the journey can be obtained for 15 cents from the Fellowship of Reconciliation, 2929 Broadway, New York 25, N.Y.

It is one of the most significant reports I have seen in years. Everyone interested in race relations should get a copy right away.

This report proves in a very simple, unadorned way that militant Christianity can bring the principles of brotherhood to the South.

L&N Must Post Jim-Crow Rules

WASHINGTON —(NNPA)—Unless the Louisville and Nashville Railroad publishes its rules requiring separation by curtains of colored and white passengers in dining cars, such segregation should be found to be unreasonable and unduly prejudicial, it was recommended last Thursday in a report to the Interstate Commerce Commission.

Pittsburgh Courier

The report, proposed by ICC Examiner Charles W. Berry, found that the railroad's refusal to serve breakfast to James E. Stamps manager of a Social Security office in Chicago, and Ennis L. Powell, manager of the Supreme Liberty Life Insurance office in Charleston, W. Va., when they presented themselves in the dining car for service, was unduly prejudicial to them and preferential of white passengers afterwards served. Pittsburgh, Pa.

24 1947

General

Says Order Prescribing Jim Crow Makes Attitude

Atlanta Daily World, Ga, Aug. 22, 1947 Fri.

WASHINGTON, D. C.—(NNPA)—An order prescribing regulations for the segregation of colored passengers traveling both interstate and intrastate in Pullman and dining cars, recently issued by the Atlantic Coast Line, was denounced last Wednesday as violative of the Interstate Commerce Act and the Constitution of the United States by Belford V. Lawson, an attorney.

Mr. Lawson, who has represented several complainants before the Interstate Commerce Commission on complaints of discriminatory treatment by railroads, declared that the regulations impose the attitude of the railroad to the race of its travelers, adding: Fri 8-22-47

"As long as white passengers can go wherever their money will take them and colored passengers cannot, just so long as the latter subjected to inequality and discrimination because of their race.

"As long as white passengers can have a choice of accommodations in Pullman cars and diners in dining cars, except two, [illegible] colored passengers are confined to certain Pullman accommodations and to two tables in the dining car, which are partitioned off, just so long as they are subjected to inequality disadvantage and discrimination solely because of color or race.

NO RELIABLENESS

"No rule, regulation, custom or usage may be relied on by the Atlantic Coast Line which will permit it to discriminate against or in favor of a passenger on account of race or color."

The regulations applying to interstate travel, issued to conductors, trainmen, passenger representatives and dining car stewards, provide:

1. That colored persons requesting room accommodations should be assigned the space requested, if it is available, at regular tariff rates for such space.

2. Colored persons requesting berth or seat space, if available, should be assigned to berth or seat space in drawing room, compartment, bedroom or other type of enclosed accommodation, at regular tariff berth rates for night service or seat rates for day service, as the case may be. If not enclosed accommodations are available, they should be assigned berth or seat space in the body of the car, if available.

PROVISIONS 8-22-47 Fri,

The regulations, applying to intrastate passengers, provide:

1. Colored persons requesting room accommodations should be assigned the space requested, if available, at regular tariff rates for such space.

2. Colored intrastate passengers should be sold berths or seats in enclosed accommodations only at berth or seat rates.

The regulations, applying to dining cars, provide: that, consistent with experience in respect to the ratio between the number of white and colored passengers who ordinarily apply for service in available diner space, equal but separate accommodations shall be provided for white and colored passengers by partitioning diners and allotting space in accordance with the following rules:

1. The two tables at first station, kitchen end of car, shall be reserved exclusively for colored passengers and the other tables in the diner shall be reserved exclusively for white passengers.

2. Before starting each meal, where the two tables at first station do not have separation by permanent partitions, it will be proper to draw the partition curtains separating the tables at first station, kitchen end of car, curtains to remain so drawn for the duration of the meal. Fri. 8-22-47

3. No white person shall be permitted to occupy the seats reserved for colored persons, and no colored person shall be permitted to occupy the seats reserved for white persons.

Other sections of the regulations concern colored passengers holding tickets for sleeping or parlor car space. These sections state that colored passengers should be afforded the same service as other passengers.

23 Suits Aimed at Bias

Afro-American

Ask $250,000 in Damages

Baltimore, Md.

Sat. 8-30-47

Heavy Costs of Maintaining Segregation on Trains and Buses in Va. Increasing

By RALPH MATTHEWS

RICHMOND, Va.—Trying to maintain Dixie's jim crow train and bus system is fast becoming an expensive proposition to common carriers, as damage suits approaching almost $250,000 mount in local courts.

The latest suit was that filed against the Atlantic Greyhound Co. in Law and Equity Court by Mrs. Salem, N.C., who charges she was dragged from her seat at Burkeville, Va., while en route from Winston-Salem to Newark, N.J.

Officer Cited

Mrs. Knox named Officer Earl Blankenship as a party to the suit. She alleged that she was arrested without a warrant, that her valuable watch was broken during the altercation, and that she was delayed in reaching her destination.

At the same time, Mrs. Alfreda Madison of Norfolk filed suit against the Norfolk and Western Railway and L. L. Crowder of Richmond for a judgment of $5,000. Sat. 8-30-47

Through the law firm of Hill, Martin and Robinson, she charges that last July 15, while en route from Norfolk via Richmond, she was ordered to move into a jim crow car on reaching here, which she refused to do.

She alleges also that when she reached Suffolk she was assaulted by two policemen in civilian clothes, called at the instigation of Conductor Crowder, and forced to move under threats of being jailed.

23 Suits Filed

Mrs. Knox's suit follows closely upon that filed last week by Mrs. Clara Lancaster of Mecklenburg County for $10,000, bringing the total number of pending suits to 23, and aggregating $250,000 in damages sought.

A number of companion suits for criminal action against police officers and bus drivers are also pending. Sat. 8-30-47

Firm Represents 18 Clients

Although suits are being filed all over the State, 18 have been filed by one Richmond law firm alone. The firm of Hill, Martin and Robinson, comprised of Oliver Hill, recent candidate for State Legislature; Martin A. Martin, and Spottswood W. Robinson 3rd, has filed the following suits:

From Richmond

John Rayns vs. Carolina Coach Co., $10,000; Ethel New vs. Atlantic Greyhound, $10,000; Frances Brooks vs. Carolina Coach Co., $10,000; Larnel Nealy vs. Carolina Coach Co., $10,000; Nan W. Brandon vs. Richmond, Fredericksburg and Potomac Railway (settled out of court).; Phila M. White vs. Virginia Electric Power Co. (street car), $5,000. Sat, 8-30-47

From Charlottesville

William H. Young vs. Virginia Stage Coach Lines, $10,000.

From South Hill

Adeline A. Day vs. Atlantic Greyhound Co., $25,000.

From Roanoke

William J. Simmons vs. Atlantic Greyhound Co., $20,000.

From Mecklenburg County

Grace B. Knox vs. Atlantic Greyhound Co., $10,000;

Clara Lancaster vs. Atlantic Greyhound Co., $10,000;

Vashti Brown vs. Southern Railway Co., $5,000;

Lillian Falls vs. Southern Railway Co., $5,000;

Murial Holcombe vs. Southern Railway Co.,

Dr. Benjamin E. Mays vs. Southern Railway Co., $2,500.

The Case of Irene Morgan

ON June 3, 1946, the US Supreme Court ruled in the case of Irene Morgan v. the Commonwealth of Virginia that segregation on interstate public carriers was "an undue burden on interstate commerce." Last April a group of eight white men and eight Negroes started a two-week train-and-bus trip through Virginia, North Carolina, Tennessee and Kentucky to test the decision. Last week the Fellowship of Reconciliation and the Congress of Racial Equality, joint sponsors of the trip, made their report. Here is what happened:

¶ In about one case out of three nothing at all occurred.

¶ In another third of the tests, bus drivers or conductors told the Negroes to move, and when they refused to do so, citing the Morgan decision, nothing further was done. In some of these cases arrests were threatened at the next town but were not made.

¶ In the remaining cases, arrests were made. Local judges invariably enforced state Jim Crow laws in defiance of the Morgan decision and gave much stiffer penalties to the whites in the group than to the Negroes. All these cases are being appealed.

¶ Most bus drivers and conductors had never heard of the Morgan decision, and took their stand, if any, on the basis of local Jim Crow laws.

¶ Other passengers were apathetic as a rule and did not enter the arguments at all.

¶ On three occasions Negro passengers implored the Negro members of the group not to raise the issue.

¶ The police were courteous and fair. The only case of attempted violence occurred in Chapel Hill, North Carolina, when a taxi driver struck at one of the white members of the group, accusing him of "coming down here to stir up the niggers." 24 Fri.

The group reached these conclusions: In the four states visited, but probably not further South, travelers are not rabid about seeing that Jim Crow laws are enforced. If the drivers or conductors explain that the local laws are not valid, the passengers will usually drop the matter. The most persistent troublemakers are the ignorant and socially and economically insecure whites, who depend on Jim Crow for personal status. These men, often taxi drivers and idlers around bus and train stations, direct their main venom against the whites who are attempting to upset Jim Crow.

ORDER SEGREGATING NEGROES IN PULMAN CARS DISCRIMINATORY

Black Dispatch, Okla. City, Okla.

Attorney Appears Before Interstate Commerce Commission With Plea

Sat. 8-30-47

CENTERS ATTACK ON FREEDOM OF MOVEMENT

(24) gen

WASHINGTON, D. C., Aug. — (NNPA) — An order prescribing regulations for the segregation of colored passengers traveling both interstate and intrastate in Pullman and dining cars, recently issued by the Atlantic Coast Line, was denounced last Wednesday as violative of the Interstate Commerce Act and the Constitution of the United States by Belford V. Lawson, an attorney.

Mr. Lawson, who l represented several compliants before the Interstate Commerce Commission on compliants of discriminatory treatment by railroads, declared that regulations impose the attitude of the railroad to the race of its travelers, adding:

"As long as white passengers can go wherever their money will take them and colored passengers cannot, just so long as the latter subjected to inequality and discrimination because of their race.

"As long as white passengers may have a choice of accommodations in Pullman cars and of tables in dining cars, except two, and colored passengers are confined to certain Pullman accommodations and to two tables in the dining car, which are partitioned off, just so long are they subjected to inequality, disadvantage and discrimination solely because of color or race. Sat. 8-30-47

"No rule, regulation, custom or ususage may be relied on by the Atlantic Coast Line which will permit it to discriminate against or in favor of a passenger on account of race or color."

The regulations applying to interstate travel, issued to conductors, trainmen, passengers representatives and dining car stewards, provide:

1. That colored persons requesting room accommodations should be assignel the space requested, if it is available, at regular tariff rates for such space.

2. Colored persons requesting berth or seat space, if available, should be assigned to berth or seath in drawing room, compartment, bedroom or other type of enclosed accommodation, at regular tariff berth rates for night service or seat rates for day service, as the case may be. If not enclosed accommodations are available, they should be assigned berth or seat space in the body of the car, if available.

The regulations, applying to intrastate passengers, provide:

1. Colored persons requesting room accommodations should be assigned the space requested, if available, at regular tariff rates for such space. Sat. 8-30-47

2. Colored intrastate passengers should be sold berths or seats in enclosed accommodations only at berth or seat rates.

The regulations, applying to dining cars, provide: that, consistent with experience in request to the ratio between the number of white and colored passengers who ordinarily apply for service in available diner space, equal but separate accommodations shall be provided for white and colored passengers by partitioning diners and allotting space in accordance with the following rules:

1. The two tables at first station, kitchen end of car, shall be reserved exclusively for colored passengers and the other tables in the diner shall be reserved exclusively for white passengers.

2. Before starting each meal, where the two tables at first station do not have separation by permanent partitions, it will be proper to draw the partition curtains separating the tables at first station, kitchen end of car, curtains to remain so drawn for the duration of the meal.

3. No white person shall be permitted to occupy the seats reserved for colored persons, and no colored person shall be permitted to occupy the seats reserved for white persons.

Other sections of the regulations concerned colored passengers holding tickets for sleeping or parlor car space. These sections state that colored passengers should be afforded the same service as other passengers. Sat. 8-30-47

One section advises trainmen to suggest tactfully to interstate colored passengers "that in view of the segregation of races in states through which the Atlantic Coast Line Railroad operates, and the delicate situation arising when a commingling of the races occurs, such passengers may choose to not avail themselves of such facilities, in which event substitute service to the extent possible will be brought to them at their location in sleeping cars, parlor car or coach. This is not to be considered as prohibition, but rather as an effort to safeguard passengers from disagreeable circumstances."

A fight against these regulations is expected to develop from the labor union representing the pantrymen or first station holders. Edmund Johnson, general chairman of Local 495, has sent a letter to F. A. Cooke, general superintendent of the dining car department of the Atlantic Coast Line, setting out the hardship the regulations will place on the waiter serving that station. He has asked that this status be changed and that he be given 40 cent more an hour due to the fact that he is being forced to wait on a certain race and that the other waiters will have a decided advantage over the number one station man.

---

(24) gen. Black Dispatch

Jim Crow Evades the Law

Last April, a group of white and colored, representing the Fellowship of Reconciliation and the Congress of Racial Equality, decided to test the Irene Morgan case, wherein the Supreme Court held that segregation on interstate public carriers was an "undue burden on interstate commerce."

This group launched a practical test by purchasing tickets and retaining the seats they had obtained in non-jim crow territory following arrival in such areas.

Recently an official report was released respecting what happened on this trip: Oklahoma City

In about one case out of three nothing at all occurred.

In another third of the tests, bus drivers or conductors told the Negroes to move, and when they refused to do so, citing the Morgan decision, nothing further was done. In some of these cases arrests were threatened at the next town but were not made.

In the remaining cases, arrests were made. Local judges invariably enforced state jim crow laws in defiance of the Morgan decision and gave much stiffer penalties to the whites in the group than to the Negroes. All these cases are being appealed. Okla.

Most bus drivers and conductors had never heard of the Morgan decision, and took their stand, if any, on the basis of local jim crow laws. Sat. 9-20-47

Other passengers were apathetic as a rule and did not enter the arguments at all.

On three occasions Negro passengers implored the Negro members of the group not to raise the issue.

The police were courteous and fair. The only case of attempted violence occurred in Chapel Hill, North Carolina, when a taxi driver struck at one of the white members of the group, accusing him of "coming down here to stir up the niggers."

Just why transportation companies, having responsibility for the administration of anti-social legislation such as jim crow laws, fail to provide their employees with information respecting court decisions is difficult to determine. We recall sometime ago while having difficulty with a Rock Island conductor respecting the same matter the conductor stated he had never heard of the "Mitchell decision," and was eager to secure this information. Surely it is an untenable position for carrier companies to assume the general public, and Negroes in particular, should provide their employees with information of this character.

Local courts proceeded, according to the report, to inflict penalties in total disregard of the federal court edict, which is certainly a reflection on local self government. It appears that down in Dixie we still have folk who shout "To hell with the Constitution" and are ready to shoot holes in the flag.

But the saddest picture of all is reflected in the attempt of the local blacks to foist their resignation spirit upon their more spirited northern brethren. It brings to the surface an ugly picture showing how the South has gutted Negroes of manhood. Truly prejudice has molded and fashioned a type of cowardly black man here in America in the past three hundred years who never reached here in any slave ship. Our Uncle Toms are native to the soil of America. They are something new under the sun.

It is stimulating to observe, however, that few white passengers seemed interested in the enforcement of separate accommodations. It shows that among the common ordinary folk jim crow has lost ground and that the day has come when the rank and file down in Dixie are engrossed with far more important matters than race prejudice. Of course there are isolated incidents such as the taxi driver who, if carefully examined, would disclose an economic urge of some character, but the masses are becoming alerted to the falseness of this fake issue that has through the years destroyed opportunity for advancement of both races below the Mason and Dixon Line.

"That River Car Line"

Atlanta, Ga, Daily World

Atlanta Negroes detest and abominate the sort of treatment they are forced to put up with on the River Carline. "White passengers, even during the less busy hours of the day, hog up two seats, rather than following the law by seating from the front to the back, as they do on most other lines," Negro passengers complain very frequently. But more recently, something has happened to shock the sense of the most stolid riders. About half past three o'clock Saturday afternoon, June 7, Mrs. Lucy Pyron, 50 year-old citizen of 990 Ashby Terrace, is alleged to have been shot and critically wounded when a 67 year-old white man of Stone Mountain, Georgia, is said to have brandished a revolver into a crowd of Negro passengers, crowded into the rear of the car. The victim, on last report, is lying critically ill at Grady hospital. Thur. 6-19-47

Now, Negroes are saying that to ride on the River line is to take your life in your own hand, for there is no guarantee that you board the car and reach your destination without being molested or even shot. Such is the fear which Negroes, we believe, justly harbor concerning the River line, which has been the source of all too many fighting and shooting sprees for a number of years. And we do not overstate the case when we assert that unless Power officials move promptly to put an end to this brazen behavior serious trouble is going to result. And either Negroes are going to have to abond riding on the line or else run the risk of being shot or killed by a band of ruffians seemed determined to molest them in every possible manner. Thur. 6-19-47

Two White Men Arrested in Ga. Streetcar Shooting

Afri-American sat. 6-21-47

Baltimore, Md.

ATLANTA (ANP)—Two white men were being held last week in connection with wild shooting on a crowded streetcar in which innocent Mrs. Lucy Pyron, 50, a passenger, was shot.

J. D. Bradfield, Stone Mountain, and T. C. Garrett, Atlanta, both white, had been asked by an unidentified colored passenger to move up to a vacant seat in order that he might sit in the seat they occupied (in accordance with jim-crow trolley regulations).

The passenger allegedly asked the conductor for assistance in securing the seat but got no aid.

Thereupon, he is said to have sat down in the vacant seat in front of the two white men. Another man sat down with him.

Brandishes Gun

Garrett reportedly got up from his seat, snatched up the unidentified complainant and a scuffle ensued. Sat. 6-21-47

The other white man, who was later arrested for drunkenness and disorderly conduct, then drew a pistol from a shoulder holster and waved it to and fro in the direction of the passengers in the rear.

The commuters pleaded for mercy and asked the white man not to shoot, but, not to be outdone, he fired once, injuring Mrs. Pyron through the left side of the stomach. All the other passengers had piled out.

Weak Alibi

Bradfield was booked for the shooting and Garrett for drunk and disorderly conduct. Bradfield told the arresting officer that he "thought" he saw someone with a knife in the crowd, and shot to protect himself.

The River car line is known as a tough one to ride in Atlanta, since the relations between riders are never too good. The line runs to a "poor white" section.

Makes Miraculous Recovery, Woman Vows Never Again To "Ride That River Car Line"

24

Atlanta, Ga. Daily World

Wed. 7-9-47

By CLAUDE L. WEAVER

Having made a miraculous recovery from a pistol wound sustained while riding the River car June 7, Mrs. Lucy Pyron, of 990 Ashby Terrace, NW., was dismissed from Grady hospital Monday and returned to her home. She had been confined to the hospital for one month following her critical injury.

Mrs. Pryon was shot as an innocent bystander when J. D. Bradfield, 67-year-old white man from Stone Mountain, Georgia, brandished his revolver and shot into a crowd of Negroes over an argument that developed over a seat on the car. Mrs. Pryon was in no wise involved in the seating squabble.

Resolved with courage and patience to endure this adversity that had befallen her, Mrs. Pryon rallied to what medics at Grady hospital termed as a "miracle recovery. Very few people get over being shot thru the liver," she quoted the medics as saying, and "I consider myself very lucky."

SHOT STILL IMBEDDED

Still nursing the bullet which doctors considered dangerous to remove, this unyeilding lady stated that she was "feeling alright according to what I went through," adding, however, "I am not straight yet, for I'm still under the doctor's care." Wed. 7-9-47

Asked about the River car, Mrs. Pryon snarled, "I never want to see that River car again. Packages or no packages, I'll never get on that River car anymore." (Mrs. Pryon was returning from a shopping tour with an armful of packages when she was shot.)

In speaking of the doctors who attended her at Grady Mrs. Pryon asserted that "the doctors gave me excellent care. I couldn't have received better treatment anywhere. I certainly have to give them credit."

LIKE A NIGHTMARE

The whole affair seems like a nightmare to her, said the matron. Even though the doctors said my case was quite a problem. I managed not to worry over it, she added.

Hearing in the case has been postponed twice. Originally it was set for June 9, but was postponed until June 27. The case was again postponed until July 15 because of the inability to the victim to attend. Handling the case for Mrs. Pryon is Attorney Daniel Duke, former assistant attorney general of Georgia.

Meanwhile Bradfield, the defendant, is currently out on bond.

The shooting of Mrs. Pyron climaxed a series of disturbance on the River car wherein whites have been reportedly asked by Negroes to move up to vacant seats in front of the car but refused to do so. It is reported that several other affrays have occurred on this carline because failure on part of the conductor to arbitrate such seating squabbles. Wed. 7-9-47

Trigger Man's Bond Set At $1,000 By Judge

Atlanta, Ga. Daily World

Sat. 7-12-47

Stone Mountain Man Claims He Shot Mrs. Pyron Intentionally

24

Hearing in the June 7 River carline shooting of Mrs. Lucy Pyron, of 990 Ashby Terrace was held Friday afternoon and Recorder A. W. Callaway bound her alleged assailant, J. D. Bradfield, 67-year-old white man of Stone Mountain, Ga., over to the county grand jury on $1000 bond on charge of assault with intent to kill.

Mrs. Pyron, who was represented by Atty. Daniel Duke, former Asst. Atty. General of Georgia, told Judge Callaway that the trouble started when two colored passengers entered the car and asked T. C. Garrett, white, to move up to a vacant seat. During the squabble between these three men, said Mrs. Pyron, Bradfield who was in the front of the car came back and intervened, pulling his pistol and waving it dangerously at the Negroes on the car. At this point the Negroes ran to the rear of the car, said the victim, begging Bradfield not to shoot when he fired the shot striking her in the left side and entering her liver.

Two other witnesses were called forward by Attorney Duke and they confirmed Mrs. Pyron's testimony.

Garrett testified that he went to the motorman and asked him to get those "n—s" up who were sitting in front of him. When he returned to the seat, said Garrett, the Negroes knocked him into the aisle and beat him on the floor.

Sat. 7-12-47

The motorman of the car and other witnesses denied that the two Negro men had Garrett on the floor beating him, as he had claimed.

The motorman said that Garrett came to him about the matter and he told Garrett that he would come back and straighten it out at his first opportunity. The motorman said Garrett then said he was going back and straighten out the matter himself.

SURPRISING TESTIMONY

The surprising element in the hearing was apparently the testimony of Bradfield. He claimed that Mrs. Pyron drew a knife on him and threatened him. Not once did he commit himself to testimony that she was shot as an innocent bystander. From his testimony one gathered that the shooting of Mrs. Pyron was intentionally done.

Atty. Duke told Judge Callaway that the shooting was unjustified and that sufficient evidence had been shown to require that the defendant be bound over to the grand jury.

Bradfield was represented by Atty. James Venable.

In a separate hearing Garrett was fined $12 on a drunk charge and placed under a $200 bond on a charge of assault. Sat. 7-12-47

Rude Motorman

24

Editor Constitution: A few days ago I was a passenger on a trackless trolley that carried a group of Negro school children to visit the zoo at Grant Park. On this trolley, at the time, was an off duty motorman that made many unpleasant remarks about the children.

Atlanta, Ga. Constitution

As a whole the children were well behaved, and not one complaint was made from a passenger. Sat. 5-3-47

On the trip back to town, we had the privilege of riding with two motormen that were very nice in every respect, as well as a group of passengers. Many, many thanks to them for understanding a group of school age Negro children and give us many more like them. MRS. J. C. FANNIN.

Atlanta. Sat. 5-3-47

To the Editor:

Before I enlisted I lived in New Jersey. The Marine Corps sent me to North Carolina. Now I'm a "damned Yankee." P. 777.

When I went to school, worked, a "nigger lover." I don't know how or played when I was home, I those words strike you, but they never made any distinction as to color or race. But here, in North Carolina, I found out that, unless I did make those barriers and distinctions, I would be classified as

From the Readers

Boy Meets South

Fined for Violating City's Jim Crow Law

James Brown, Negro, was fined $52 in City Recorder's court here Monday on charges of violating the City's Jim Crow law. 2.

Brown was arrested Sunday on a bus near Five Points after sitting down beside a white man. Brown told Recorder Callaway he had been drunk and did not know he was violating the law.

humiliate me. New York, N.Y.

This letter would have never been written if it had not been for an article I read in a local paper:

"NEGRO FINED FOR SITTING IN FRONT OF BUS, CAUSING DISTURBANCE; IS LECTURED." Tues. 9-16-47

The Negro was fined $25 and costs on disorderly conduct charges and given a lecture on segregation of the races in the South by the judge.

It was charged that B. created a disturbance by sitting on a front seat of a bus on a local run. Witnesses said that B., who they claimed was under the influence of liquor, refused to move and give his seat to two white youths when requested to do so by the bus driver, saying, "I'm as good as anyone else, and I'll sit where I want to . . ."

In ordering the fine the judge told B. that it was not a matter of who is better than anyone else, or whether one race was better than the other. He pointed out that the law provides that Negroes must take the rear seats of a bus in this state, and added that both Negroes and white people in the South believe in social segregation. "They don't sit down at the same table together or live in the same house together," he said.

The judge told the defendant that he was not showing race prejudice in issuing his sentence, because "if it had been a white boy who went into the back of the bus and caused a disturbance, the sentence would have been much stiffer."

I feel that it's the judge who needs the lecture, not the boy. Imposing a fine on a boy who had guts enough to speak his mind; making a criminal case out of a person who had the courage of his convictions. Tues. 9-16-47

And I'll bet he had a good night's sleep, too!

New River, N. C. P.F.C.

Labor Official Thrown Off Train

(24) Pittsburgh Courier

ATLANTA (ANP) — H. L. Stevenson of Chicago, an official of the dining car waiters union, was forceably removed from a train here last week because he refused to change to a jim-crow seat. Baltimore Md.

Stevenson was traveling to Miami to attend a labor meeting and had a through ticket. He was asked to move when the train reached Nashville but refused.

When the train reached Chattanooga the request was renewed but he still declined to leave the coach for the colored car. When the train reached Atlanta, city policemen and railroad detectives forceably ejected him Sat. 10-

He returned to Chicago by air and announced that he would file suit against the railroads involved in the incident Sat. 11-15-47

Woman Says Unjust Treatment Given Her In "Law Ordeal"

Wkly. Atlanta Ga. 2nd 12-30-47

Miss Marie Gordon, of 90 Bell St., Apt. 220, related to a World reporter that she was unjustly removed from a trolley car on Christmas Eve, carried before Recorder A. W. Callaway and fined $24 or 40 days following the persistence of an alleged drunken white man on the car. (24) 20 da.

The fined woman, who says she is a nurse at Grady Hospital, told the following story:

She boarded a Decatur Street trolley with a 13-year-old girl and after she had placed two tokens in the box, and moved toward the rear of the car, was amazed to see two drunken white men hurling threats at her young companion and cursing her. Tues. 12-30-47

Seeing that her young companion had made a mistake of sitting in front of a white passenger, Miss Gordon said she told her of the mistake and informed her of the segregated seating system.

Removed By Officer

Shortly thereafter, the complainant said an officer came and removed her from the car and took her to the city jail.

A bondsman whom she knew when she was employed at the police station as assistant colored matron came up and offered to go her bond, Miss Gordon related. The police lieutenant, however, refused to permit bond, she said, and rushed her to court where Judge Callaway fined her at the persistence of the alleged drunken accuser, who informed him:

"What are you going to do judge, I'am a WHITE man."

Judge Callaway reportedly imposed the fine of $24.

A Catholic Priest came and paid the fine for the arrested woman.

Miss Gordon expressed the opinion that a gross miscarriage of justice was perpetrated as she had committed no crime whatsooever.

Sues L. & N. Road For Manhandling By Conductor

Chicago, Ill. Defender Sat. 7-5-47 24

CINCINNATI — Mrs. Florence Warders, 534 W. Walnut, asked $10,000 damages last week for a Jim Crow ride from Cincinnati to Louisville on the L. & N.

She said in her Circuit Court petition that she attempted to enter a car in Cincinnati and was told she'd have to go to another, even after she protested she was riding from one state to another. She said the railroad had no right to enforce against her a Kentucky law requiring that Negro and white passengers have separate coaches.

24 1947 Lawsuits Settled

2 Negroes Awarded $400 Each In L. & N. Dining-Car Dispute

The Courier-Journal Louisville, Ky. (24)

Two Negroes, refused service outside a special section of an L. & N. dining car, were awarded damages of $400 each yesterday. Circuit Judge Roscoe Conkling instructed the jury that the law requires no distinction be made in serving passengers traveling from one state to another.

The Negroes, James E. Stamps, Chicago, and Ennis L. Powell, Charleston, W. Va., were told by the dining-car steward they could be served if they waited for vacant seats in a section for Negroes. They were en route from Nashville to Cincinnati in March, 1946. Thurs.

The suit sought $25,000 damages each. Charles W. Anderson, Jr., their attorney, said that white persons were being served in the Negro section at the time the Negroes were refused service in the white section. 4-17-47

RR to Appeal Verdict Awards

Courier Pittsburgh, Pa.

LOUISVILLE, Ky. — (NNPA) — The Louisville and Nashville Railroad Company is seeking to have set aside the verdict awarding James E. Stamps of Chicago, and Ennis L. Powell of Charleston, W. Va., damages of $800 against the railroad for its refusal to serve them in a dining car. 5-24-47

Attorneys Sidney A. Jones Jr. of Chicago, and Charles W. Anderson of Louisville have been serviced by the railroad with a notice of a motion for a new trial. 5-24-47

Rights' Suit Winner Gives Sydenham Gift

Defender Chicago, Ill. (24) Sat. 11-1-47

NEW YORK—Because she won damages of $500 in a civil rights case against a Manhattan West Side restaurant recently, Ellabelle Davis, concert soprano, last week presented to Sydenham Hospital three new-type plastic oxygen canopies and an aspirator.

The only interracial voluntary hospital in the city, Sydenham received canopies of the type providing free vision for the patient and alleviating the fear of being closed in under a tent in cases of cardiac, pneumonia and accident cases where oxygen must be administered. The aspirator will be the first permanent suction instrument in the Sydenham nursery.

Miss Davis' damages represented the maximum award for a Civil Liberties suit. She presented her gift to the hospital in person before leaving for a cross-country concert tour.

Louisiana

2 SU Instructors File Second Suit For $12.000 In False Arrest On Bus

Louisiana Weekly
New Orleans, La. Sat. 2-1-47
24

Baton Rouge, La., Jan. 29.—Two Southern University instructors, Miss Marie Davis Cochrane and Montgomery W. King, brought suit in the United States District Court, Eastern District of Louisiana, Baton Rouge Division, this week, asking $12,000 damages from the Baton Rouge Bus Company, Inc., for personal injuries occasioned by their arrest last October on the complaint of a bus driver.

The suit, filed Monday in New Orleans by Attorneys A. P. Tureaud of New Orleans, Louis Berry of this city and Archibald Lecesne of Chicago, Ill., followed by several days the dismissal of a similar suit by Judge Charles Holcombe in the 19th Judicial District Court of Louisiana. In these proceedings the plaintiffs sought $6,000.

The dismissal was based on an exception filed by the Taylor, Porter, Brooks and Fuller law firm, representing the defendants. The exceptions alleged there had been a misjoinder of the parties plaintiffs. Judge Holcombe signed the judgment of dismissal in open court on Jan. 22.

In the petition filed in New Orleans for the Baton Rouge Division of the United States District Court, the plaintiffs asked $6,000 each in damages on the grounds of false arrest, mental anguish, malicious prosecution, restraint of freedom, embarrassment and humiliation. Sat. 2-1-47

They were arrested, the petition stated, on Oct. 20, 1946, at the insistence of J. P. Watson, a driver employed by the Baton Rouge Bus Company, when they refused to surrender their seats on the vehicle to white passengers.

The plaintiffs charged that they were seated with other colored patrons on the bus which had been loaded with colored passengers "from the rear" as required by posted regulations, when the driver demanded they give their seats to white persons who boarded the bus later. There were no other seats available, the plaintiffs declared, so they refused to stand to permit whites to occupy the seats. 24 La.

They were taken to jail and held more than an hour, the petitioners said, and on trial before Judge J. St. Clair Favrot in City Court on disorderly conduct charges, were found innocent.

Bus Co. Asks Jury Trial in JC Suit

24 Afro-American
Baltimore, Md.

BATON ROUGE, La. — Answering the $12,000 damage suit filed last January in Federal Court here by Miss Marie D. Cochrane and Montgomery W. King, Southern University instructors, the Baton Rouge Bus Company, last week asked for a trial by jury, and dismissal of the suit with costs. Sat. 3-8-47

A similar suit for $6,000, filed send moar moar moar moar oa in New Orleans by A. P. Tureaud of that city, Louis Berry, local attorney, and Archibald Lecesne of Chicago, representing the plaintiffs, was dismissed Jan. 22, by Judge Charles Holcombe of the 19th Judicial District Court.

Jailed Over Seat Order

The plaintiffs charged that, on Oct. 20, 1946, they were seated with other patrons on a bus owned by the company, and complied with the posted regulation instructing colored passengers to "fill up from the rear." Sat. 3-8-47

The plaintiffs were arrested, taken to jail, and held more than an hour, when they refused to surrender their seats to white persons. City Court Judge J. St. Clair Favrot dismissed disorderly conduct charges against them.

Jailed in Louisiana

Teachers Sue Bus Line for $12,000

Pittsburgh, Pa. Courier
24 Sat. 2-1-47

BATON ROUGE, La.—Miss Marie Davis Cochrane and Montgomery W. King, both instructors at Southern University, brought suit last week in the United States District Court, Eastern District of Louisiana, Baton Rouge Division, asking $12,000 damages from the Baton Rouge Bus Company, Inc., for personal injuries.

The suit was filed in New Orleans by Attorneys A. P. Tureaud of New Orleans, Louis Berry of this city, and Archibald Le Cesne of Chicago. Sat. 2-1-47

A similiar suit by the plaintiff was dismissed recently by Judge Charles Holcombe in the Nineteenth Judicial District Court of Louisiana. In this case, the plaintiffs were asking damages of $6,000. The dismissal was based on an exception filed by Taylor, Porter, Brook and Fuller law firm representing the defendant.

The plaintiffs are seeking damages on the grounds of false arrest, mental anguish, malicious prosecution, restraint of freedom, embarrassment and humiliation. The couple were arrested Oct. 20 at the insistence of J. P. Watson, bus driver, because they had refused to give up their seats on the bus to white passengers.

The plaintiffs hold that they were seated with other colored passengers on the bus which was crowded from the rear as required by posted regulations. When white patrons boarded the bus later, the plaintiffs were asked by the driver to relinquish their seats.

When they refused, they were taken to jail, held for more than an hour, and when tried by Judge J. St. Clair Favrot in City Court for disorderly conduct, were found innocent.

Maryland House Beats Bill To End 'Jim Crow' Law

ANNAPOLIS, Md., March 20—(AP)—A bill to repeal Maryland's "Jim Crow" law requiring segregation of Negroes on public conveyances died today in the state's House of Delegates amid charges that the speaker railroaded the measure to defeat."

The bill, which previously had passed the State Senate, was doomed yesterday when the House adopted by voice vote an unfavorable report by the judiciary committee.

Speaker C. Ferinand Sybert, Howard County Democrat, disregarded shouts from both sides of the chamber for a rollcall vote.

Delegate E. Peter Richardson, Worcester County Democrat, then applied the "clincher," a motion to reconsider the vote combined with a motion to table the reconsideration move.

Under House rules adoption of the "clincher" ends discussion on the measure for the current session.

Religious leaders of many denominations had urged passage of the repealer, which has been defeated in session after session for the past several decades.

The segregation law is enforced only on Chesapeake Bay ferries.

KILL SEPARATION LAW—Boy law-makers, meeting in the YMCA Model Youth Legislature at Annapolis, Md., last week, passed a bill to repeal Maryland's jim-crow law, requiring separate facilities on public conveyances. Charlie Epps, extreme left, rear, clerk of the Senate, and Bertram Blackwell, seated, extreme right, chaplain of the House of Delegates, both honor students at Douglass High School, Baltimore, are pictured above with other officers, including William W. Rowan, governor; Harris LaFaw, president of the Senate; Charles Wise, speaker of the House; Edward Burger, chaplain of the Senate, and Charles Butler, clerk of the House. A similar measure which came before the regular State Legislature in February was killed by adult law-makers.

Boat Company Violates State Law, Court Told

Michigan Asks Highest Tribunal to Outlaw Discrimination on Excursion Trip to Canada

WASHINGTON (NNPA) — The right of a Michigan Boat Company to bar colored persons from traveling on its streamers from Detroit to Bois Blanc an island in Canada and return was argued in the United States Supreme Court last Wednesday.

The company, the Bob-Lo Excursion Company, contends that the Michigan civil rights statute is not applicable because it is engaged in foreign commerce. The State of Michigan, however, insists that the local law should be upheld until Congress takes action.

The case involves Miss Sarah E. Ray, who with forty white classmates in Commerce High School in Detroit, planned a trip to Bois Island on June 21, 1945.

Left, Fearing Force

On the morning of June 21, 13 of the girls including Miss Ray boarded the boat. They were told by the assistant general manager of the company and the boat's steward that Miss Ray could not go along because she was colored. Miss Ray left the boat after five white waiters closed in on her.

For this, the Bob-Lo line was fined $25 by Recorder John L. Ulmer. Saturday after an appeal by the company, the Supreme Court of Michigan affirmed the decision. The United States Supreme Court granted a review.

Additional Brief Filed

The NAACP, the American Civil Liberties Union and the National Lawyers Guild filed a joint brief in the case as friends of the court, contending that the Michigan civil rights statute, the free flow of commerce and is in keeping with the national interest not to discriminate.

In the joint brief, counsel for the three organizations take the position that there is a great difference between segregation statutes and non-segregation statutes, that the first should be outlawed by the Supreme Court and the second upheld.

Basis for their argument is the Bo-Lo Company's contention that the Supreme Court, in the Hall vs. DeCuir (Louisiana) and Morgan vs. Virginia cases ruled that laws placing unreasonable burden on interstate commerce were unconstitutional.

All Burdens Removed

However, the brief points out, "in the instant case the Michigan statute removes all posible burdens of this type by prohibiting segregation and such a statute is clearly not a burden but an aid to the flow of commerce."

The brief was submitted by Thurgood Marshall, NAACP special counsel; Osmond Fraenkel American Civil Liberties Union and O. John Rogge, National Lawyers Guild.

REFUSAL OF MICHIGAN BOAT COMPANY TO TRANSPORT NEGRO PASSENGERS ARGUED IN U.S. SUPREME COURT December 19, 1947

Press Service NAACP New York, N.Y. 12-19-47-Fri

Washington, Dec. 18th--The right of Negroes to move freely from state to state under the protection of a state law against segregation was argued before the Supreme Court in a brief filed by the NAACP, the American Civil Liberties Union and the National Lawyers Guild this week in the case of Bob-Lo Excursion Company against the State of Michigan. The Company owns Bob-Lo Island, an amusement park located in Canadian waters, and runs excursion boats from Detroit to the Island. It has refused for years to carry Negro passengers and finally was convicted on a complaint prosecuted by the Detroit NAACP youth council under the Michigan Civil Rights Law on behalf of Mrs. Sarah Elizabeth Ray.

The case was argued before the Supreme Court on December 16. In the course of the argument before the Supreme Court, it was pointed out that Bob-Lo Island was the end of the underground railroad and represented freedom for Negroes throughout the South during slavery time. Today, under the practice of the Bob-Lo Excursion Company, no Negro can ever reach Bob-Lo Island unless the Supreme Court upholds the Michigan Law. 24 Mich. Press Service NAACP New York, N.Y.

The brief filed on behalf of the three organizations states: "On the question as to who shall be transported in interstate commerce and the manner in which passengers shall be transported, there is also recognizable difference in the type of statute involved in the Morgan case and the type of statute involved in this case. The national interests involved in the method of handling passenger traffic are two-fold: (1) there is the over-all national interest of free flow of commerce, and (2) there is the national interest that no distinction because of race, color or national origin shall be permitted in areas subject to national control." 12-19-47-Fri.

In conclusion the organizations argue: "This Court in the light of its recent decisions should determine that the Michigan Civil Rights Act far from being unconstitutional (1) is in fact an aid to the free flow of commerce; and, (2) is in keeping with the national interest not to discriminate because of race, creed or national origin. Thus segregation statutes similar to the one involved in the Morgan case are unconstitutional while statutes similar to the Michigan one are valid."

The American Way?

To the Editor:

My sister planned on returning to college in North Carolina, and, accordingly, made train reservations (reserved coach seat). When my father attempted to pick up the ticket, he was asked if they were for him—replying yes, they were for his daughter. He was delayed while the attendant made a phone call and then very politely and apologetically told him "there must have been a mistake" (a well-known phrase to Negroes whose identity was previously unknown). It was then stated that reservations could be made on "another" coach, but upon later confirmation this "other" coach was filled, and the reservation canceled as there is no other reserved coach for Negroes.

You see, my sister neglected to say: "I am a Negro and I wish to make reservations on the Streamliner," when phoning for them.

This new angle in jim-crowism is unique. First, there is a jim-crow coach for Negroes after the train leaves Washington, D. C., and now there is a jim-crow coach for those desiring reserved coach seats, even in New England.

All of this is understandable in view of the South's ridiculous attitude, but when jim-crowism permeates New England, then there is cause for alarm. The attitude evinced by the various railroads operating through Hartford to Washington is one of catering to the mores of Southern railroads.

Furthermore, segregation in interstate travel is illegal in view of a recent Supreme Court decision in Virginia. Yet, the railroads, including those in New England, continue to violate flagrantly, this decision.

CHARLES S. STONE, JR.

Hartford, Conn.

Pennsylvania R.R. Calls JC to South 'Practical'

Company Officials Say It Is 'Convenient to Segregate Travelers in New York

NEW YORK — (ANP) — The ugly hand of Dixie jim crow has extended to the Pennsylvania Station here, where railroad officials deem it "convenient and practical" to seat South-bound colored passengers in the front coach, right behind the engine.

Passengers headed South who must travel on such trains as the Seaboard Air Line, Southern Railroad, or Atlantic Coast Line, are seated in the segregated coach when they board the train in New York.

In defending the practice to the NAACP, company officials explained that it is "convenient and practical." Since Southern custom requires segregation below Washington, they state, passengers might as well be segregated at the Pennsylvania Station.

Travelers Can Insist

In this way, it is pointed out, they won't have to change in Washington. It makes no difference that they must pass through New Jersey, Pennsylvania, Delaware, and Maryland, before reaching the capital.

The company officials stated that any traveler who insists will be sold a reserved seat to Washington in another coach. They pointed out that the company is one of the largest employers of colored workers.

Interstate Ruling

According to a recent Supreme Court decision, interstate passengers are not bound by local statutes requiring segregation on public carriers. The NAACP is now defending an interstate passenger who refused to move from a non-segregated coach.

She is Miss Bertha M. Watkins, a traveler from New York to West Palm Beach, Fla., who was arrested and fined $50 for a refusing to move to a jim-crow car in Jacksonville.

Physicians Sue Two Railroads

Afro-American
Baltimore, Md.

Ex-Army Captain, Wife Ask $30,000

Sat. 7-5-47

NEW YORK (ANP)—A suit was filed in Brooklyn Federal Court here last week by two physicians, asking $30,000 damages from the Atlantic Coast Line and Pennsylvania Railroads for an alleged jim crow and assault incident which occurred in 1942.

The plaintiffs are Dr. Arthur M. Lee and his wife, Dr. Eulalie M. Lee. She charged that she was assaulted by railway employees near Philadelphia and Washington and thrown off the train onto the tracks outside her destination at Fayetteville, N.C.

Mrs. Lee said she was en route to visit her husband who was at that time an Army captain stationed at Fort Bragg, N.C., accompanied by her six-year-old son.

Refused to Move

Her affidavit further stated that she had been molested for most of the trip because she insisted that her tickets had been sold with the assurance he could keep the same seats all the way and refused to move to a jim-crow car.

As a result of her being thrown on the tracks outside Fayetteville, Mrs. Lee suffered injuries which reduced her capacity to practice her profession. She asks $25,000 damages. Sat. 7-5-47

In a companion suit, her husband asks $5,000 for loss of her services. The couple i representd by Hearry H. Lipsig. Both railroads have entered affidavits denying knowledge of the incident.

Dixie R.R. Refuses to Honor Doctor's Pullman Reservation

Afro-American
Baltimore, Md.
Sat. 8-30-47

DURHAM, N.C.—Whether Dr. S. T. James has grounds for a suit against the Southern Railroad which denied him Pullman accommodations for which he held a first-class interstate ticket, depends on whether he moved willingly to a colored coach or was forced to do so, after he was ordered from a white coach.

Dr. James obtained the ticket July 28 by letter from G. R. Yarborough, Division Passenger Agent, to attend the National Medical Association convention in Los Angeles. He went to the Pullman car Aug. 11 and was told there were no available seats. He ended up in a seat with three men in the smoker.

All four arrests occurred during last April's interracial bus trip through the South, sponsored by the Fellowship of Reconciliation and the Congress of Racial Equality. The cases are being appealed. Attorneys for the men are C. Jerry Gates, Herman Taylor, and Edward Avant, all of the NAACP.

The appeal of James Peck, white, of New York, and Dennis Banks, Negro, of Chicago, sentenced to 30 days each in Asheville, N. C., has been continued until the July or August term of court at the request of the prosecution. Their attorney is Curtiss Todd, also of the NAACP. All three Virginia cases of arrest arising from the bus trip have been continued indefinitely pending a decision by the Virginia Supreme Court in the case of Lottie E. Taylor. Sat. 7-5-47

The Virginia cases are being handled by the Richmond firm of Martin, Hill and Robinson, which handled the successful appeal to the United States Supreme Court in the Irene Morgan Case.

Va. Vet Jailed in Bus Dispute

Afro-American
Baltimore, Md.

SUFFOLK, Va. (NNPA)—W. L. Hamilton Jr., son of the Rev. W. L. Hamilton, Norfolk minister, and a World War II veteran who was injured while serving with the 92nd Division in Italy, was arrested recently and jailed in Nansemond County, charged with violation of Section 4533A of the Virginia law. Sat. 8-30-47

Young Hamilton was en route from Kinston, N.C., to his home in Norfolk. Occupying the second seat from the rear, he was ordered by the bus driver to move to the rear of the bus.

Being an interstate passenger, Mr. Hamilton told the driver of the "Irene Morgan Supreme Court ruling," which forbids segregation of interstate travelers on buses, and did not move.

Arrested by State Officer

The bus driver summoned a Suffolk police officer in an effort to have Mr. Hamilton move or leave the bus. After some discussion with the driver the city officer would not interfere in the affair.

A State police officer was summoned and after some more deliberation with the driver, Mr. Hamilton was told that if he did not move that he would be put under arrest.

Freed on $200 Bond

Contending for his rights, the passenger refused to move and was arrested. Mr. Hamilton reports that the officers were courteous while making the arrest, and during the four hours he was in custody. Sat. 4-30-47

Mr. Hamilton was freed on $200 bond. Victor J. Ashe, Norfolk attorney, together with the Norfolk NAACP, is handling the case, the hearing of which was scheduled up for August 23, in Nansemond County Trial Justice Court.

Mr. Hamilton is a recent graduate of North Carolina A. and T. College and plans to do graduate study.

White Southerners Fined For Bucking Travel Bias

Chicago, Ill. Defender Sat. 7-5-47

CHAPEL HILL, N. C.—What a southern court thinks of a southern white man who does not believe in the prevailing prejudices was shown here last week when Judge Henry Whitfield tried to give Joe Felmet, from Asheville, six times the maximum sentence for sitting with a Negro on an interstate bus.

"Six months on the road," the judge said. Prosecutor T. J. Phipps then pointed out that the maximum for such an offense under the state's Jim Crow law is 30 days. "I can't keep these things in my little head," Judge Whitfield remarked whimsically as he changed the sentence to 30 days. Sat. 7-5-47

At the same time he reduced the sentence of Andrew Johnson, Cincinnati Negro, from $50 and costs to $25 and costs. On May 20, when Judge Whitfield sentenced two New Yorkers, Igal Roodenko, white, to 30 days, and Bayard Rustin, Negro, to costs, on the same charge, he told one of their attorneys off the record that he had much more contempt for whites than for Negroes in such a situation.

WALTER A. BELL PROMINENT LAYMAN REFUSED TO BE JIM-CROWED

9-19-47

By Cleveland G. Allen

New York, N. Y.—Walter A. Bell well known citizen and prominent layman of Mother A. M. E. Zion Church in an interview last week told how he refused to be jim-crowed by the railroad while traveling in the south. Mr. Bell was one of the visitors to the quadrennial sessions of The Woman's Home and Foreign Missionary Society which met in Wilmington, N. C. during the first week in August, and was traveling on a first class fare to various points south. On his trip south Mr. Bell visited Goldsboro, Raliegh, Greensboro and Winston-Salem, traveling over The Sohthern, Atlantic Coast Line, and Seaboard Air Line, and said that conductors made every effort to jim-crow him although he had a first class ticket. (24)

On his return to New York Mr Bell said that at Raliegh, N. C. the conductor tried to prevent him from boarding the train unless he rode in the jim-crow section, and that he would not be allowed to ride first class. Mr. Bell said that he insisted upon his rights, and refused to allowhimself to be jim-rrowed after being threatened by the conductor. He said that since he had a first class ticket he was entitled to first class fare, and said that if he was not granted such priviledge he would bring a suit against the railroad; and make them pay for every day he was left in Raleigh. 9-18-47

Mr. Bell said that after he was so insistent upon his rights he was permitted to board the train and to ride first class. He said that the conductor and the porter afterwards congradulated him upon insisting for his rights as a citizen and said that more Negroes shold take such a stand. Mr. Bell said that he was treated with every courtesy at the ticket offices and had no trouble in securing first class accomodations. He said that his difficulty came when he tried to board the train and the conductor would threten to put him off, and insist upon him being jim-crowed.

Mr. Bell said that if Negroes do not contend for their rights, and refuse to be intimidated, every effort will be made to imbarrass them. He said that he was not abusive in his demands, but contended for his rights in an intelligent manner which he said brought results. Mr. Bell believes that the solution of these problems involving discrimination rest with the individual Negro who in an intellegent manner must insist upon his rights as a citizen, and contend for the things for which he is entitled. Mr. Bell is a class leader at Mother A. M. E. Zion Church, is well known in religious and civic movements. He is a native of North Carolina, and is a member of several fraternal and civic organizations. The Star Gazette

NEGRO WINS IN BUS CASE

The Times
New York, N. Y.

Court in South Rules Against Interstate Segregation

MOUNT AIRY, N. C., Oct. 27 (AP)—Judge Harry Llewellyn dismissed today a charge that Charles B. Hauser of Winston-Salem, Negro instructor at West Virginia State College, violated the state segregation law on a Greyhound bus. Judge Llewellyn said that Hauser's bus ticket, showing he was en route from Winston-Salem to Charleston, W. Va., was evidence that the case was covered by a recent United States Supreme Court ruling that state racial segregation laws do not hold in interstate commerce. WPA 10-27-47

Testimony showed that Stanton Edds, bus operator, asked Hauser, when the bus arrived here, to move to the rear. Hauser refused, citing the Supreme Court decision on race segregation in interstate commerce. 10-27-47. WPA

Student Files $25,000 Suit Against Coach Co.

Courier, Pittsburgh, Pa. Sat. 10-25-47

24

By A. M. RIVERA JR.
(Staff Correspondent)

RALEIGH, N. C.—James Leon Pridgen, Shaw University theological student, filed a $25,000 damage suit in Superior Court last week against the Carolina Coach Company for "false arrest and malicious prosecution," an action growing out of his alleged arrest when he refused to take a rear seat for a recently scheduled trip from Raleigh, N. C., to Norfolk, Va.

Members of the State bar believe the action to be an acid test of the bus company's snide attempt to circumvent the intentions of the U. S. Supreme Court in the Irene Morgan decision by reliance on the State jim crow laws, company regulations and subtle pressures.

REFUSED TO MOVE

Mr. Pridgen, a soft spoken, dignified student of religion at Shaw University, alleges in his complaint that he purchased a ticket Sept. 18, from the office in the Raleigh Union Bus Terminal for transportation by bus from Raleigh to Norfolk, Va., and that when he refused to occupy a seat in the rear of a partially filled bus, Driver A. F. Collier refused to begin the trip.

According to Mr. Pridgen's petition for damages, W. A. Greene, dispatcher for the Carolina Coach Company, boarded the bus and called his attention to the rules and regulations of the company.

When Pridgen insisted that he had a right to ride in the seat that he was occupying, Sgt. W. J. Horton of the Raleigh Police Department boarded the bus and asked him to comply with the bus regulations and take a seat in the rear of the bus. 10-25-47

REMOVED BY FORCE

Mr. Pridgen reiterated his stand and politely informed the officer that he did not intend to move to a rear seat. Horton summoned two officers and had him removed from the bus.

Charges of failing to comply with the State segregation laws as they appy to the seating of the races on common carriers were not prosecuted against him in the Police Court.

The bus company contends that the ticket issued by them to the plaintiff, Mr. Pridgen, contained the following language, "Purchaser of this ticket accepts it subject to the rules and regulations of this company and of the carrying company."

"RULES APPROVED"

According to the allegations of the attorneys for the bus company, these rules and regulations had been duly and regularly adopted by the company pursuant to valid legal authority and in full force and effect at all times alleged in the plaintiff's complaint, and have been approved by the Inter-State Commerce Commission, the North Carolina Utilities Commission and the Corporation Commission of the Commonwealth of Virginia as by law provided and stated on the ticket. 24 10-25-47

Herman L. Taylor, counsel for Mr. Pridgen, says that the rules of the bus company are in contravention to the laws of the United States Supreme Court.

UNCLE TOMS

The Fla. Tattler Jacksonville, Fla.

By JAMES PECK, Member of Interracial Test Group on Southern Busses Sat. 7-5-47

(24) N.C.

Every group of underprivileged persons striving for improved conditions is held back by Uncle Toms—individuals who bow and scrape to their superiors. In factory they are the workers who parrot the anti-union views of their employers. In race relations they are the Negroes, Jews or Orientals who parrot the white or Nordic supremacy theories.

We met two such unfortunate characters during our anti-jimcrow bus trip through the upper South in April. One was an aged Negro teacher from Oxford, N. C. While the bus driver was waiting for police to arrest Bayard Rustin and me for violating the jimcrow seating pattern, this Uncle Tom *asked permission* to go aboard and appeal to Rustin to move.

Squirming nervously in his stiff white shirt, he pleaded in a shaky voice: "Please don't do this. Please move to the back. You'll get to Durham just the same sitting in back as in front."

Rustin explained that standing up for his rights was more important than getting to Durham. But the Uncle Tom stood there five minutes imploring Rustin to move, and then finally withdrew. After long-distance conversations with bus company attorneys, it was decided not to make the arrests. So the passengers got aboard—including the Uncle Tom—and the bus drove off with Rustin and me still in our front seats.

We had won out on that bus, contrary to the Uncle Tom's expectations. So when we got out at Durham, the Uncle Tom tried to ingratiate himself with *us*.

"I feel sorrier for that than anything I ever did in my life," he told me. "I am really with you. I am a teacher at Oxford. Please don't give my name to the papers."

"Can't you see that you gave these white people a story which they will repeat and repeat in an attempt to prove that Negroes really want jimcrow?" I asked. He continued his oily apologies.

At the bus station in Petersburg, Va., the only individual who tried to whip up mob hysteria at the time of Conrad Lynn's arrest was a decrepit Negro porter. He boarded the bus, in which most of the passengers were white, and said: "We know how to handle this. We should drag him off."

Nobody responded to his suggestion. He had outdone his "superiors". Sat. 7-5-47

When our test group related these two incidents to the many Negroes who supported us at meetings along the way, they expressed the greatest disgust. Most of them were members of the NAACP and knew from experience how Uncle Toms hinder their struggle.

But we were also able to tell these meetings about Negroes who were the opposite of Uncle Toms. Such a person was the proprietor of a Negro restaurant opposite the bus station in Culpepper, Va. Not only did she board the bus and offer to help Dennis Banks, but after his arrest she came into the office of the Justice of the Peace to renew her offer.

Denied First Class Railroad Passage

Dr. James May Sue

(24) Chicago Defender

DURHAM, N. C.—A suit against the Southern railroad, as a result of refusal to honor the first class reservations of Dr. S. T. James may be filed in the U.S. court soon, according to Dr. James' lawyers. Suit. 8-30-47

The physician, who was en route to Los Angeles for the National Medical Association convention had requested Pullman accommodations through the mails. He received confirmation from G. R. Yarborough, division passenger agent.

When he went to board train 13, on Aug. 11, the doctor was told his accommodations had been given to someone else. The conductor sent him to the crowded Jim Crow car, but Dr. James sat in another coach on the basis of having an inter-state travel ticket.

The conductor returned and sent him to the smoker, where three persons were crowded into one seat. Dr. James' lawyers said grounds for a suit may depend on whether he went to the Jim Crow coach willingly, or was forced.

Bus Line Pays Woman $200

(24) Chicago Defender

WINSTON-SALEM, N. C. (ANP)—Mrs. Leona Parker of this city was given $200 by the Greyhound Bus Company of Charleston, W. Va., last week in a compromise settlement to avert a threatened suit for $20,000 on a charge of illegal segregation by the bus company. Sat. 9-20-47

Last April, as Mrs. Parker was enroute home from Richmond, Va., she was forced from the bus at Greensboro. N. C., and jailed because she refused to change to a rear seat when ordered to do so by the bus driver. 9-20-47

Later, Judge E. Earl Rives of Municipal County Court ruled that the North Carolina statute calling for the racial segregation of passengers did not apply to interstate travelers in the light of the devision of the U. S. Supreme Court in the Irene Morgan case.

After her acquittal, Mrs. Parker's attorney began preliminary steps toward filing a damage suit for $20,000 against the bus company. After several weeks of negotiations, an out-of-court settlement was reached in which the Greyhound officials agreed to award $200 damages to Mrs. Parker.

At the Greensboro trial, Judge Rives' decision attracted national attention in view of the fact that it was the first time that a lower court had ruled against the segregation laws of a southern state.

Drop Bus Case

Chicago Defender

Against Prof Found Teacher Held Interstate Ticket

Chicago Def.

MOUNT AIRY, N. C.—(ANP)—Charges that Charles B. Hause, Winston-Salem instructor at West Virginia State college, violated state Jim Crow laws while on a Greyhound bus were dismissed here last week by Judge Harry Llewellyn when evidence showed Hause to be an interstate passenger. 11-8-47

Hause had purchased a ticket at Winston-Salem to travel to Charleston, W. Va., and the judge ruled that the case was covered by the recent U. S. Supreme Court decision providing that state laws on segregation to not apply to travelers from one state to another.

Hause was arrested October 19 when he refused to move to the rear of the bus when ordered to do so by Stanton Edds, white, bus operator. He had been sitting three seats from the back of the vehicle. Witnesses testified that the driver had asked police to arrest Hause but that they had declined. Then Edds called the Winston-Salem office of the bus line and was told to sign a warrant for Hause's arrest. Sat.

Court Frees Carolinian Arrested In Bus Seat Case

Staff Correspondence

STATESVILLE, N. C.—Another blow was struck at the practice of segregating interstate passengers riding in buses, as a case was nol processed there last week after seven months of delays and continuances.

Reginald Reeves of Greensboro, who was charged with disorderly conduct for refusing to move to a back seat of a bus in Mooresville when asked by the driver, was the defendant.

Last April Mr. Reeves, then a student at A. and T. College, was travelling from Charlotte en route to Danville, Va., when removed from the bus at Mooresville. Mr. Reeves told the Journal and Guide that he took a seat, second from the front, when he entered the bus at Charlotte and was not requested to move.

Outside the city limits the driver asked him to move, to no avail. At Huntersville the chief of police sought to have him move but when passengers supported Reeves in his contendon to remain, the officer left the bus. 11-22-47

At Mooresville officers attempted to coerce him into giv-

$3,000 Settlement In Railway Suit

NEW YORK—(NNPA)—Mrs. Nina Beltram, 868 Union avenue, the Bronx, who charged she was forced to enter a Jim Crow coach while en route from New York to Columbia, South Carolina, has accepted a settlement of $3,000 in a suit against the Seaboard Air Line Railway, the law firm of Neuburger, Shapiro and Rabinowitz announced last Friday.

While she was traveling with her 5-year old son on August 7, 1945, she said, she was ordered at Raleigh, North Carolina, to enter a different coach and that, finding no space, she returned to her seat in the "white" coach.

A policeman, summoned by the conduct at Hamlin, North Carolina, punched her and forced her to go back into the Jim Crow car, she charged.

The suit, filed in the United States Court for the southern district of New York in October, 1945, asked damages of $75,000 for injury and violation of civil rights.

Mrs. Beltram's attorney, Samuel P. Shapiro, termed the settlement" a great victory in the right to end Jim Crow in this country."

'JIM CROW' SUIT SETTLED

Bronx Woman Receives $3,000 for Incident on Railroad

A Negro woman who charged she was forced to enter a "Jim Crow" car while en route from New York to Columbia, S. C., has accepted a settlement of $3,000 in a suit against the Seaboard Air Line Railway, it was announced yesterday by the law firm of Neuburger, Shapiro & Rabinowitz of 61 Broadway.

The passenger, Mrs. Nina Beltram of 868 Union Avenue, the Bronx, said that while she was traveling with her 5-year-old son on Aug. 7, 1945, she was ordered at Raleigh, N. C., to enter a different coach and that, finding no space, she returned to her seat in the "white" coach. A police officer summoned by the conductor at Hamlin, N. C., punched her and forced her to re-enter the "Jim Crow" car, she charged.

The suit, filed in October, 1945, in the United States District Court, Southern District of New York, asked $75,000 for injury and violation of civil rights. Mrs. Beltram's attorney, Samuel P. Shapiro, termed the settlement "a great victory in the fight to end 'Jim Crow' in this country."

GUILTY IN 'JIM-CROW' TEST

White and Negro Are Tried on Carolina Segregation Charge

CHAPEL HILL, N. C., May 20 (U.P.)—A white man and a Negro from New York were found guilty today of violating North Carolina's "Jim-Crow" segregation laws in a test case, and immediately appealed their convictions.

Igal Roodenko was sentenced to thirty days in Orange County Jail, but was freed pending his appeal to Superior Court. Bayard Rustin, his Negro companion, was ordered to pay court costs.

Judge Henry Whitfield of Chapel Hill Recorder's Court ruled that the pair did not come under a recent Supreme Court decision against segregation in interstate carriers, since they testified they intended to stop overnight at Greensboro, N. C.

Trial of two others, a Negro and a white man, arrested with Roodenko and Rustin at the Chapel Hill bus station April 13, was postponed to June 24. The case arose when the Negroes refused to move to rear seats on a Carolina Trailways bus. The whites interceded and all four were arrested.

They told police they were a "team" from the Fellowship of Reconciliation, an interracial group seeking to test "Jim-Crow" laws on interstate carriers throughout the South.

TESTER—Reginald L. Reeves' of Greensboro, ranking cadet in A. & T.'s ROTC, made the recent bus travel test, was arrested, fined $13, and will sue the bus company. He's an Omega man and a member of AVC.

Interracial Tour Tests Travel Laws

(Pittsburgh Courier Press Service)

ASHEVILLE, N. C.—Negro lawyers in North Carolina, seeking a test case on the State's jim-crow travel statutes for appeal before a high court, finally hit the jackpot here Friday when Police Magistrate Sam Cathey sentenced Dennis L. Banks of Chicago and James Peck, white, of Stamford, Conn., to thirty days each on charges of violating the State's jim-crow laws on a Trailways bus here. The convictions were appealed and the appeal trial is set for the week of May 19 in Buncombe County Superior Court.

Not only did Curtis A. Todd, Winston-Salem attorney, get a case involving a Negro interstate passenger's refusal to move from the front of the bus, but he now has a case involving the conviction of a white interstate passenger because of his refusal to move from the rear of a bus.

Peck and Banks, traveling together as members of an interracial lecture group under the sponsorship of the Fellowship of Reconciliation, boarded a Trailways bus in Asheville last Thursday, en route to Knoxville, Tenn. They occupied the second seat from the front of the bus.

ASKED TO MOVE

Banks was asked to move by the bus driver. He cited the decision of the U. S. Supreme Court in the Irene Morgan case and pointed out that he was not required to move under the spirit of that Supreme Court ruling.

Police officers came on the bus and arrested Banks, who agreed to go peacefully with the officers if he was under arrest. Whereupon, Peck, Banks' companion, immediately took a seat in the rear of the bus and told officers that if Banks were arrested for sitting in the front of the bus, he should be arrested because he, a white man,

comply with segregation rules.

was seated in the rear of the bus.

Peck was also arrested by the officers. The two men were placed under bond of $100 each, and trial was set for the next day, Friday.

SENTENCES BOTH

Police Judge Cathey, who is blind, told Mr. Todd that he was not familiar with the Supreme Court's Irene Morgan decision. When the decision was explained to him, he said that he felt that a high court decision on the North Carolina statute was needed, and he sentenced the two defendants to thirty days each in the local jail.

On appeal, bond was placed at $200 each. The two men were bailed out and proceeded to their destination, Knoxville, where they were scheduled to address an NAACP meeting.

During the trial here, neither of the defendants was placed on the witness stand by Mr. Todd. The defense attorney accepted the statements of the bus driver and police to the effect that neither of the defendants had been disorderly and that both had explained their refusal to move.

However, a peculiarity of this case was the fact that the Trailways Bus Company had emphatically denied, at the trial, that it had called police to have the men arrested. It is known that the carrier had called police in several other test incidents in which this same group had been previously involved. Mr. Todd interpreted this denial as evidence that the carriers have become concerned about the legality of arresting Negroes who decline to move to the rear of the busses, and were trying to avoid action which might lead to civil suits.

Meanwhile, a trial involving James Peck, Bayard Rustin, Andrew Johnson and Joe Felmet on similar charges in Chapel Hill, N. C., was continued until April 29. The trial had originally been set for Tuesday, April 15. Felmet, white native of Asheville, traveling with the lecture group, appeared in court as a witness for Peck and Banks, along with Ernest Bromley, Newbern, N. C., white minister, and the Rev. Aubrey Todd, white Presbyterian minister of Asheville.

Solicitor Will Hampton, who prosecuted the case here, based his case on his opinion that the North Carolina statute, Chapter 60, Section 136 of the North Carolina general statutes requiring separation of the races in transportation, was different from the Virginia statute invalidated by the Supreme Court.

There was no evidence of bitterness and no manifestation of violence in the Asheville arrests and trial. Except for the obvious surprise which registered on the faces of police officials when a Negro attorney, Mr. Todd, appeared in court in defense of the arrested men, there was no abnormal tension during the trial. No Negro attorney is practicing in Asheville, and the appearance of Mr. Todd was extremely unusual.

NASHVILLE, Tenn.—Prudence in attitude when forcing a showdown on the jim-crow practices on interstate buses in the South, was urged here by the group which has been on a "test tour" from Washington to Nashville, under the auspices of the Congress for Racial Equality and the Council Against Racial and Religious Discrimination. Chief speakers at a specal joint NAACP-Fellowship of Reconciliation meeting held at Fisk University Friday night said that they had received courteous treatment from drivers when being asked to

Flareup Follows Arrests

By LEM GRAVES Jr.
(Pittsburgh Courier Press Service)

CHAPEL HILL, N. C.—This sleepy little Piedmont Village, regarded far and wide as the "citadel of democracy in the South," and seat of the University of North Carolina, became a scene of sudden mob violence here late Sunday afternoon as taxicab drivers and young hoodlums assaulted an interracial group of young lecturers in the Chapel Hill Bus Station and then threatened to burn down the home of a liberal white Presbyterian minister in which the interracial group took refuge.

Ten members of a group of lecturers, traveling under the auspices of the Fellowship of Reconciliation, were literally driven out of Chapel Hill under police escort, following the sudden flare of mob threats which began when two members of the group, one white and the other colored, were placed under arrest at the Trailways Bus Terminal about 3 P. M., Sunday afternoon.

Because these two men, traveling together to deliver talks Sunday night in a Greensboro Church, refused to move to the rear of the Trailways bus when asked to do so by the bus driver, they were arrested.

Andrew Johnson, Negro, Cincinnati University junior student, who was seated with Joe Felmet, white, Asheville (N. C.) youth, in the third seat from the front of the bus, was asked to move to the rear first. When Felmet explained that they were traveling together and that under the Irene Morgan decision of the U. S. Supreme Court, interstate passengers could not be required to move, both of them were ordered to the rear.

When they refused to obey the driver, police officers were called to arrest the youths.

In protest against their arrest, two other members of their group, Bayard Rustin, Negro, and Igal Roodenko, white, immediately took the seats in the front from which Johnson and Felmet had been removed by the police. Despite sentiment in the bus strongly favoring the action of the two youths and despite loud protests from Southern whites who happened to be traveling on that bus, the driver insisted that police arrest the second pair of front seat occupants.

BLOCKED BY DRIVER

Another white man, Jim Peck of Stanford, Conn., attempted to get off of the bus in order to serve as witness to the fact that the arrested men had been orderly and

Before the flare-up at Chapel Hill Sunday, four other persons had been arrested, one at Petersburg, Va., the others at Durham, N. C. Conrad Lynn, New York lawyer was arrested in Petersburg. In Durham, police arrested Mayard Rustin, lecturer of the American Friends Service Committee; Andrew Johnson University of Cincinnati junior, and Jim Peck, editor of the Workers Defense League news service.

courteous in their refusal to move, but was blocked by the bus driver. Because of Peck's insistence that he be permitted to leave the bus in order to testify in behalf of the youths, a large group of local taxicab drivers who had witnessed the arrests began to crowd around the door of the carrier.

When Peck did get out of the bus, he was surrounded by these car drivers.

One of them swung at the white witness and missed. Another hit him in the back of the head. At this time, Eugene Stanley, Negro member of the faculty of A.&T. College and a passenger on the bus, sought to reason with the mob, which turned its wrath against Stanley. However, there was no further physical violence.

Meanwhile, in the police station, the four youths were booked on charge of refusing to obey the driver and were placed under $50 bond each. They paid their own bond and were released.

However, the angry mob still surrounded the bus station and members of the interracial group were carried, by private car, back to the home of the Rev. Charles Jones, white Presbyterian minister here, where they were followed by two carloads of these cab drivers.

FOLLOWED BY MOB

Shortly after the men entered the minister's house, where they joined other members of the fellowship of reconciliation party, the cab drivers drove up, got out of their cars and advanced toward the ministers home armed with long sticks and large rocks.

Efforts to get police protection were unavailing. However, the mob halted in the minister's front yard, apparently changed plans and drove away, after a brief conversation with two of the mob leaders.

A few minutes later, the Rev. Mr. Jones received an anonymous phone call. The caller told the minister "you better get those damn n——s out of your house or we will burn it down."

On a second call to the local police, a squad car was sent to the pastor's home. While one officer guarded the front of the building, another came inside and made arrangements to spirit the men out of town under police guard. Two cars were used. Fearing trouble on the highway to Greensboro, the cars took the men back to Durham and thence to Greensboro by another highway.

The group arrived in Greensboro just as the meeting of the men were scheduled to address got under way.

TRIAL THIS WEEK

The Chapel Hill police set the trial for the four arrested men for Tuesday of this week.

A significant aspect of this threatened mob violence is the fact that it happened within a few yards of the University of North Carolina and within a few blocks of the home of the university's president, Dr. Frank P. Graham, who is a member of President Truman's Committee on Civil Rights, which meets Wednesday and Thursday of this week in Washington. Sat. 4-19-47

The action on Sunday was a startling contrast to the activities which this reporter had witnessed in Chapel Hill on the day before.

INTERRACIAL MEETINGS

During Saturday afternoon and early evening, the members of this

33

Senator Dies —

Death has claimed Senator Marcelino Garriga at 54, in Havana. One of Cuba's four Negro senators, Senor Garriga rose from an humble birth to one of the most powerful and respected leaders in the island. Leader of the Liberal party in Pinar del Rio, he had been slated for Cuban secretary of the treasury.

interracial team had participated in two discussion forums with interracial groups of the Presbyterian Church here. The emphasis had been on a Christian methods of solving racial problems and relieving racial tensions by cooperative efforts of white and Negro Christians under the auspices of church and civic organizations.

In an atmosphere as relaxed and natural as it could have been in Boston or New York, these young white and Negro people from all over the South had mutually participated in a panel discussion which gave this observer a feeling that, if there remained in the South any hope for racial progress, the fountain head of that hope was Chapel Hill.

That some of the less enlightened and more impoverished elements of the local white community did not share this hope for racial cooperation was evident on this first Sunday after the celebration of the Resurrection of Jesus Christ.

In attempting to assign responsibility for the sudden change in attitudes, it was generally concluded that the Trailways Bus Company's driver, in an effort to circumvent the meaning of the Supreme Court decision, had incited the riotous reaction and had spotlighted the situation by holding up the bus and its passengers for more than two hours.

ACTION APPLAUDED

During this delay, several white passengers, in no way connected with the lecture group, applauded the action of the Negro members of the troupe in standing firm on their rights to seats anywhere they wanted them in the bus.

One young white woman, who refused to sign a card passed out by the bus driver, said to Bayard Rustin: "You are doing a wonderful thing. I will give you my name and address and you can call upon me to testify in your behalf" when asked if she was a Southerner, she said "yes." Sat. 4-19-47

Sentiment in the bus was almost entirely favorable to the action of the Negroes in declining firmly, but courteously, to move until placed under arrest and much vocal support as given their cause.

No passenger raised a protest against the seating arrangement and except for the Bus Company's own insistence on raising the issue, the bus could have, like many another bus has during the first five days of this trip, proceeded without incident to its destination.

2 Bus Testers Jailed; 1 Fined

Afro-American

Baltimore, Md.

Trials of Others Continued in N.C.

Sat. 5-31-47

MIXED GROUP

Must Work Out Terms on Road

CHAPEL HILL, N.C.—Two members of the Fellowship of Reconciliation were given jail terms, a third was fined and several trials continued in the aftermath of the Fellowship's tour testing bus segregation in the South.

All of the men involved in the trials, in one way or another, had challenged State laws which violate the Supreme Court's decision in the Irene Morgan case which outlaws segregation on buses which transport interstate passengers.

Three Whites in Group

The men were:

Bayard Rustin, fined $8. Igal Roodenko, white, given 30 days on the road.

Andrew Johnson of Cincinnati and Joseph Felmut of Asheville, white, trials set for June 24.

Dennis L. Banks of Chicago, tried in Asheville, given 60 days on the road on a liquor count and trial for violating State jim-crow law set for June term.

James Peck of New York, white, trial set in Asheville for the June term. Sat. 5-31-47

Denied Protection Under Law

In pronouncing punishment for Rustin and Roodenko, Judge Henry H. Whitfied asserted that they were not interstate passengers and, therefore, not protected by the Morgan decision.

The two men, who were arrested on April 13 when they sat together near the front of a bus leaving Chapel Hill for Greensboro, both held tickets for points in Tennessee and Kentucky.

A graduate of the City College of New York, Rustin was fined approximately $8, which was the cost of court. Roodenko, of Cornell University, was sentenced on the theory that a white man should have known better.

Both filed notice of appeal, through their attorney, E. R. Avant of Durham.

Only the truthful testimony of the arresting officer, W. D. Blake, kept Rustin and Roodenko from being convicted of disorderly conduct and resisting arrest. The officer denied these charges.

Judge Admits Own Bias

Following the trial, Mr. Avant said: "Judge, you have discriminated against a white man in this case." Sat. 5-31-47

"Yes, I have," the judge said, "but I trust him (Rustin) more than I do 20 men like that one (meaning Roodenko)."

Banks was given the 60-day sentence because a small bottle of whisky, the seal broken, was found on him at the time of his arrest.

White, Negro Sit Together on Bus, Convicted of Violating N. C. Law

PM Wed. 5-21-47 N.Y., N.Y.

By Special Correspondence

N.Y., N.Y. CHAPEL HILL, N. C.

In a Jim Crow trial on bus seatings, two men—one white, one negro—were convicted here yesterday of violating the North Carolina segregation statutes because they refused to sit "white from the front and colored from the rear."

They were Bayard Rustin, graduate of CCNY and Igal Roodenko, Cornell graduate, both of New York City. Wed. 5-21-47

On April 13 they were travelling as a mixed team from the Fellowship of Reconciliation. They boarded a bus in this city, called the "heart of Southern Liberalism" and refused to follow the traditional Jim Crow pattern.

They were arrested by a local officer on misdemanor charges. Rustin, a Negro, had sat on the third seat from the front, Roodenko was sitting next to him, thereby violating a State statute which outlaws contiguous seating when separate areas are possible.

The Recorders Court judge took roughly two minutes to decide Rustin's case, and another minute for Roodenko.

Roodenko was sentenced to 30 days in the County Jail, and work on the road. He was released on $100 bond pending appeal to Superior Court.

Rustin was fined trial costs, and released on $50 bond. Wed. 5-21-47

Although the two were travelling on tickets to Virginia and Tennessee, the prosecution claimed they were under intra-state regulations since they were passengers on a Carolina bus.

The defense claimed the case fell within the jurisdiction of last year's Supreme Court decision barring segregation in interstate bus transportation.

Two other men arrested on similar charges, Joseph Felmut of Ashville, N. C., and Andrew Johnson of Cincinnati, are scheduled for trial June 24.

24 1947

Oklahoma

MAIL BAG

WHITE MAN TELLS ABOUT BUS STUPIDITY

The Black Dispatch
1731 N. W. 27th Street
Oklahoma City 6, Okla.
July 27, 1947

Oklahoma City, Okla.
Dear Mr. Dunjee, 24
Sat. 8-9-47

Thanks for offering your column as a means of giving vent to my feelings against bigotry and intolerance. Here is another incident which occurred on board a bus last Saturday morning and I do wish you would publish this:

The bus was jammed, a colored man was seated on one of the rear seats on which two people can sit, I was seated on the very rear seat where that very undemocratic stupid notice "Rear Seats for Colored" is flashed slightly above. These standees continued standing, not one would sit next to this colored man. I angrily jumped up from my seat and parked myself beside this colored man and said to him for all these standees to hear—"Say, you don't mind my sitting next to you?" This man smilled and replied, "Of course not."

I continued for all these silly standees to hear—"I just want to know if there is something wrong with this seat?"

I bounced up and down on the seat as a test and remarked, "It seems like all the rest of the seats on this bus. The way these people stand, I was anxious to know if there were something wrong with this seat. I thought the seat might be electrified and you were a freak immune to electricity."

Prior to my sitting next to him this colored man was a very disillusioned soul, staring out the window, not even giving any of these people in the bus a side glance, but he was a changed man when I sat beside him and startetd conversing with him. Sat-8-9-47

He told me he was in Kansas City, Missouri, where nothing like this occurs. People there don't look at the color of your face, they sit right beside you and talk with you the same as they would speak with their own people.

I introduced myself to this colored man and asked him his name, which was Mr. Anderson (I did not get his first name, he mumbled it as if he had a lump in his throat ready to cry, but it sounded like dess). I told this colored man not to despair, for not all white people are so narrow-minded and idiotic, and that someday the world will get wise to itself and realize that man is man regardless of color or religion.

I was the cynical of all eyes when I was ready to get off the bus and shook hands with Mr. Anderson. These silly looking standees just stared after me, but there was a wonderful feeling inside of me, it did my heart good just knowing that a very discouraged Mr. Anderson was cheered up quite a bit.

If Mr. Anderson reads this, I wont him to know that "Whenever a white person refuses to sit beside you, it is not because they dislike the colored person, but with most of these whites it is weak mindedness. They don't sit beside you because the others don't—it is 'monkey sees, monkey does.'" Sat-8-9-47

When some of these white folks go East they do sit besides a colored person and like it, because everyone there does it, but here in Oklahoma City they think not sitting next to a colored person is the right thing to do and they think it's smart. Don't despair Mr. Anderson, not all white folks are weak-minded.

Sat 8-9-47 (24)

Yours,
Frank I. Hauser
1731 N. W. 27th St.
Oklahoma City, Okla.

SOUTH CAROLINA JURY PLACES
NO VALUE ON WOODARD'S EYES 24 November 14, 1947

Press Service Of The National Association For The

Charleston, S.C., Nov. 13th--Isaac Woodard's suit to recover $50,000 in damages against the Atlantic Greyhound Bus Corporation for the loss of his eyes was turned down by a jury in the Kanawha County Court here at 11:45 today. The South Carolina jury brought in a verdict favorable to the defendants despite eyewitness testimony which indicated that the uniformed Woodard was subjected to humiliating and profane attack by the bus driver, who, outraged over the Negro veteran's resentment to his profanity, stopped his bus to call the police. One of the two policemen, Police Chief Lynwood Shull, then beat Woodard to the ground before gouging out both his eyes with the butt end of his blackjack.

Advancement Of Colored People.
New York, N. Y.

NAACP attorneys Franklin H. Williams and T. G. Nutter announced that they are studying an appeal in behalf of Woodard, who fought through three years of South Pacific warfare before losing his eyes in South Carolina.

WHAT TO DO

Traveling Negro Can Never Be Sure Just How to Act to Please White Folk

By HORACE R. CAYTON

(The views expressed in this column are those of the writer and do not necessarily express the editorial opinion of The Pittsburgh Courier.—The Editors.)

WHEN I was in high school in Seattle, Wash., a friend of mine who was one of the few other Negro students, was always saying, "It's no disgrace to be colored, but it sure is damned unhandy." I never really knew the full meaning of this statement until I started traveling around these United States.

Mr. Cayton

If my memory doesn't fail me, I think that the first time I took a trip South was to Nashville, Tenn. When I got off the train I walked up to a Checker cab, the driver took my bags and politely asked me where I wanted to go. About a year later I had an occasion to go to Atlanta, Ga. This time I approached a Yellow cab and was told by the red-faced driver, "Boy, we don't haul n———rs down here." Bewildered, I finally got a broken-down Negro cab which, as I learned later, took the most round-about way to get to Atlanta University where I was speaking.

* * *

I'M TELLING you about this just to show you how funny old man "Jim Crow" is. That is, I mean how strange white folks are. In some Southern cities Negroes have to ride in the front of the street car, in other cities they have to ride in the back. Then, a Negro has to know how to read and has to be smart to keep up with this crooked jim-crow line that the white folks have drawn.

In Nashville they have a sign in the back end of the street car saying, "This end of car for the colored race," and in the front they've got a sign, "This end of the car for white people." In New Orleans, on each side of the car they have a movable sign which can be moved from seat to seat.

A Negro boarding one of these cars must sit behind this sign even if he has to move it back of the last white person so that the white folks are always kept in front. This means that a Negro on one side of the car may be sitting in front of white people on the other side of the car so long as he keeps the sign on his side in front of him.

* * *

IF YOU HAVEN'T travelled much through the South, you haven't heard anything yet. In Richmond, for example, one of the railroad stations has a small waiting room for Negroes with a separate entrance on one side of the building. To get to trains Negroes have to use a long passageway. In the same city another station has a dirty little alcove marked "For Colored" at the bottom of one of the stairways. It's so small that most Negroes wait for the trains near the gates.

But in Nashville Negroes have to walk through the large waiting room for whites in order to get to the jim-crow waiting room over in the corner of the building. However, when they buy tickets they buy them at the same window that whites use in the white waiting room. Negroes can stay in the white waiting room as long as they don't sit down.

NOW ONE OF the things that have always impressed me about white folks is that they know what they want and they know the most efficient way of getting it. But when it comes to drawing this jim-crow line, Brother, they seem to have forgotten all about their efficiency. All they want to do is to impress upon the darker brother that he just isn't wanted, and if he's got to be around he's got to stay in his place.

The funniest kink I've ever seen in the old jim-crow line, I observed in Durham, N. C. I dropped by the court house one day with a friend of mine who is a lawyer and while I was waiting for him to file some case records I walked into one of the courtrooms. A trial was just beginning and the bailiff was swearing in the witnesses.

A group of white folks were asked to raise their right hands and place their left hands on a Bible which was extended; they repeated the oath. To my surprise, when they had finished the oath they all kissed the Bible.

Then a group of Negro witnesses were sworn in. They went through the same procedure except they were handed a Bible that was marked "Colored." Man, it was sure funny to see "them white folks kissin' that white Bible and them Negroes kissin' that colored Bible."

Now you can see why I am always saying that white folks are funny people, and what makes it even more funny is that they make Negroes act crazy, too. White folks kissing a "white" Bible — Negroes kissing a "colored" Bible.

Baltimore, Md

WANT DIXIE TO OBSERVE LAW—Mixed group which last week tested the effect of the Supreme Court's ruling ending bus jim crow by riding buses in a group. This picture was taken in Richmond after the trip was made without incident from Washington. Five arrests and a near riot followed after group left Richmond for Asheville, N.C. The Fellowship of Reconciliation and Congress of Racial Equality sponsored the venture. Left to right: Worth Randall, Wally Nelson, Ernest Bromley, Jim Peck, Igal Roodenko, Bayard Rustin, Joe Felmet, George Houser, and Andrew Johnson. Sat. 4-26-47 Sat. 4-26-47

Members See Results Ahead

Afro-American

Baltimore, Md.

Many Whites Show Favorable Reaction

Sat. 4-26-47

THREE VOLUNTEER Cab Drivers Take Lead in Bigotry

By OLLIE STEWART

ASHEVILLE, N.C. — With seven arrests, a near riot and a lot of useful information collected on the way, behind them, the 10 members of the interracial Fellowship of Reconciliation group left here Thursday after testing jim-crow laws all the way from Washington.

The latest of the arrests, those of Dennis Banks, Chicago, and Jack Peck, white, New York, brought the first jail sentences—30 days in jail for violating the State jim crow laws.

Banks was sitting in the third seat from the front of the bus and Peck in the rear. Both refused to move. The situation was aggravated because Peck was alleged to have had a bottle of liquor in his bag.

Both men immediately appealed the sentences and were released under $200 bail, pending a hearing on May 1.

First Arrest in Petersburg

The first arrest came in Petersburg, Va., when Conrad Lynn, New York lawyer, was taken from a Trailways bus, held in in jail about 15 minutes and released after he had posted $25 bail.

The other four arrests occurred at Chapel Hill, N.C., the citadel of Southern liberalism—and brought about the first violence of the trip.

One of the white members of the party was struck on the side of the head by a white bystander after he had posted bail for the first two members of the group who were arrested. It happened this way: Sat. 4-26-47

Students Show Interest

After an interracial meeting in the Presbyterian Church on the University of North Carolina campus, of which the Rev. Charles Jones, white, is pastor, half the group went to the bus station to leave for Greensboro, N.C.

(Incidentally, the meeting was carried off in a very friendly manner, with a large number of students, male and female, present and showing intense interest in the group's project of testing segregation laws.)

However, when the bus driver came aboard and saw a white and colored couple sitting in the third seat from the front, he asked the colored man to move.

The man refused to move to the rear and gave two reasons; first he was traveling with a friend; second, under the Irene Morgan Supreme Court decision, he felt within his rights to sit in any seat on the bus. Sat.

Forced to Arrest Substitute

After some discussion, the driver went away and brought back policement who arrested the colored and white man. Taken to the police station across the street, they were soon released under $50 bond. Afro-American

But when the driver came back, he found, to his consternation, a second mixed couple sitting in the seat just vacated. Two other members of the group had moved up to the front.

So the driver and the police went through the same routine again—and as before, the second mixed couple had to post a $50 bond.

A. and T. Student Threatened

By this time a crowd of 10 to 15 taxi drivers hanging around had begun to talk violence. One struck a white member of the group viciously on the side of the head.

When Eugene Stanley of A. and T. College, tried to reason with them, he was threatened with further violence. Baltimore, Md.

However, there was a car at the curb and all members of the party scooted into it and were driven to the home of the Rev. Mr. Jones. Sat. 4-26-47

There the taxi drivers rushed with sticks and stones and demanded that the Rev. Mr. Jones get the "damn N—rs" out of his house or they would burn it to the ground.

The Rev. Mr. Jones called the police, and with officers in front and behind, proceeded to drive the men all the way to Greensboro.

Passengers Co-operative

The most significant phase of the fracas at Chapel Hill was the number and kind of comments made by the passengers who had to wait almost an hour to begin their journey.

The driver was courteous and the passengers were definitely favorable to the cause of the testers. One white woman exclaimed, when the driver asked her to sign a witness card:

"You don't want to to sign one of those cards. I'm a damn Yankee from Brooklyn, and I think what you're doing is a shame."

A white girl who admitted she was from North Carolina also expressed herself as being opposed to what was happening—in no uncertain terms.

Taken Off—Not Arrested

The only other "incident" between Petersburg and Durham occurred at Durham on Saturday, when three members of the group—two colored and one white—were taken off the bus, ostensibly under arrest.

However, at the police station no charges were made against them and they were released without posting bail.

Previously, at Oxford and Blackstone, Va., the Greyhound bus was stopped and cops came aboard to ask the men to move to the rear; but when they sat tight, no arrests were made.

From Greensboro to Winston-Salem, N.C., and from Winston-Salem to Asheville, no difficulty was encountered by the group on either Greyhound or Trailways line.

Three Volunteer Aid

Meetings were held so that the purpose of the trip could be explained at Raleigh, Chapel Hill, Greensboro and Asheville. Significantly, at Asheville, the meeting was held at the white YWCA, and attended by a mixed group of about 50.

Three persons either volunteered to join the group when it left for Knoxville, or promised to make tests on their own.

Here it was that Dennis Banks of Chicago joined the party for the remainder of the trip.

Interracial Party to Invade South

Afro-American

Will Explain Ruling in Irene Morgan Case

PLAN 2-WEEK TRIP

Baltimore, Md.

4 Border States to Be Visited During Tour

Sat. 4-12-47

WASHINGTON

The legal facts about segregation in travel will be brought to audiences in the Upper South during the next two weeks, when an interracial group will tour the section, addressing churches, students, and civic organizations.

Starting on April 9, representatives of the Fellowship of Reconciliation and the Congress of Racial Equality will visit Virginia Kentucky, North Carolina, and Tennessee, discussing practical methods for implementing the Supreme Court's decision in the Irene Morgan case.

The Morgan decision, announced last June, ruled that State laws requiring segregation of inter-State passengers are unconstitutional. In the group which will be testing the effects of this decision are:

Ministers in Group

George M. Houser, racial-industrial secretary of the Fellowship of Reconciliation and executive secretary of the Congress of Racial Equality; Bayard Rustin, field representative of the Fellowship of Reconciliation and part-time worker with the American Friends Service Committee; Joseph Felmet, southern field secretary of the Workers Defense League; the Rev. Aubrey C. Todd, pastor of the First Congregational Church of Asheville; Worth Randall, and now a free-lance lecturer; William Worthy, secretary of the New York Council for a Permanent FEPC; Conrad Lynn, New York attorney; Homer A. Jack, executive secretary of the Chicago Council Against Racial and Religious Discrimination; and Andrew Johnson, University of Cincinnati student.

Nine-Man Mixed Team Tours South, Testing Dixie Jim Crow Laws

By LILLIAN SCOTT

NEW YORK—Despite arrests in both Durham and Chapel Hill, N. C., and again in Petersburg, Va. the anti-Jim Crow team of the Fellowship of Reconciliation continues its tour of the upper South, the FOR national office told the Chicago Defender last week.

The nine-man interracial group, seeking by passive resistance to the South's Jim Crow to push action against segregation, were expected in Knoxville, Tenn., April 17 and were to proceed to Nashville, Louisville, Roanoke, Lynchburg, Charlottesville, and return to Washington.

The team led by a Negro, Bavard Rustin, 32, and by a white, George Hauser, FOR staff member, speaks at interracial meetings in each town, usually sponsored by the local NAACP.

But equally important is their testing, as they travel from place to place, the segregation laws of the various states as applied to transportation facilities.

In Durham, several of the group were arrested, but the bus driver who accused them refused to press charges and they were released.

Driver Quotes U.S. Rule

Enroute from Winston-Salem to Asheville, several white passengers protested a Negro sitting up front, but the bus driver quoted the recent Supreme Court Decision in the Morgan case and the whites subsided.

At Petersburg, Va., a Negro Conrad Lynn of New York City was arrested, but was released or bail. On the way to Chapel Hill the group followed its usual procedure of splitting up into interracial pairs which sit back and front of the buses. The bus driver ordered the Negro sitting up front to move back. He refused and the driver called the police. The white partner then shielded the Negro from the officer who arrested both. Then the pair originally seated in the rear of the bus moved forward and the whole sequence had to be run through again, with the second pair also arrested.

Hauser and James Peck of New York City, then bailed out the four who are: Rustin, Joseph A. Felmut, Asheville; Andrew S. Johnson, Cincinnati and Igal Roodenko of New York City.

Quiet Resistance

The nine often split the group in half, each set taking a different bus. The FOR is noted for its belief in passive resistance as a means of combating racial and religious discrimination. On this tour, the men have submitted quietly to arrest, but refused to change seats in the buses until a law enforcement officer arrests them.

The natonal FOP office told the Defender that the group had written that they found no segregation at all from Washington to Richmond, and from Richmond to Petersburg, Va. The group not only sat as it wished, but other passengers were mixed of their own accord.

In addition to those named, others of the group are Worth Randale, Cincinnati, and Wallie Nelson of Columbus, O. Three or four other young men will join the team for later portions of the trip.

"Something Peculiar"

SIR: Some weeks ago I read an article in the *New Republic* ("Southern Journey," May 5) re the treatment of colored people in the Southern interstate buses. . . .

I would like to report something which occurred on June 21 on the Southwest Greyhound No. 282 leaving El Paso. . . . We had come in from Los Angeles and were required to change at El Paso. Among the passengers was a Negro GI . . soon to be discharged after five years' service. He was well liked by all the passengers and happened to sit in a seat located about the middle of the bus.

On changing buses at El Paso, we took approximately the same seats. However, when all were seated and we believed the bus about to start, the driver went to the Negro veteran and told him a mistake had been made. *This* bus didn't make connections with the Memphis bus; he'd have to take another bus. The Negro GI got off.

I sensed something peculiar was happening and so went to the ticket agent and asked him if this bus made connections with Memphis. He said, "Yes." I then asked him why the Negro soldier had been taken off the bus. He answered, "Maybe there aren't any other Negroes on the bus." I told him there were others, and how come an American soldier was being pushed around? He said, "It's up to the driver."

I went back to the driver and, in front of the passengers, asked him. He said, "Go ask the boss," and pointed toward the bus offices. Very much irritated, he started up the motor.

It seems to me that this is a new angle: if a colored person on entering the South doesn't remember he's a second-class citizen, then the Greyhound by a devious scheme puts him in his place, which is at the rear of the bus. . . .
Los Angeles, Calif. B. CAROL NICHOLS

Takes Bus Trip South to Prove Design of Jimcro Is 'Worst Crazyquilt Woven'

By MARION E. JACKSON

Atlanta, Ga.—(NNPA).—Before you decide on a leisurely bus trip through the South, you had better put on your thinking cap, get out your prophet robe and become a twentieth Century mystic with direct contact with God, because the South's patchwork design of segregation and jim crow is the worse ever woven into the fabric of human conscience.

How I learned this? Well, I traveled the worse crazyquilt bus circuit ever attempted by a thinking man who values his life and wellbeing and hopes to return to his destination in one physical piece.

I started my trip at Savannah, Georgia, where I hustled into the bus terminal to buy a ticket. Imagine my surprise when I crossed the treshold only to learn that colored patrons must buy tickets and check their bags in the "White Waiting Room," and then hustle back into a tiny niche to wait until bus time.

After your notification of the arrival of the bus the weary traveler must scramble out the back door and dash to the front of the building, board the bus, and then slump back in exhaustion on the rear seat as the vehicle plods through the night.

There's A Catch

Rough road signaled your arrival in Brunswick, Georgia. There you enter a tiny closet with glaring letters shouting "COLORED." You enter. There are two identical washrooms, but there is a catch to it. To enter one exposes all occupants, whether male or female, to the full view of those hapless travelers sitting in the cubicle.

But wait! You haven't claimed your baggage yet. To do this you must go in the "White Waiting Room," where it is all right to buy a newspaper and claim your bags, but to eat you must go to the opposite end of the building and enter still another door, then stand while the colored waitress goes to the white waiting room to get your food.

Now, you buy your ticket through a tiny window hole in the "Colored Waiting Room," and go back into the "White Waiting Room" and check your bags and you're off again.

Stunned at Waycross

At Waycross, Georgia, you are stunned. You see women leading trunks and suitcases in the back of a bus. The trunk is one of those massive steamers used by traveling salesmen. The women strain and grunt while the bus drivers look on. No compassion, no mercy in those glances.

Then the women took the trunk key, locked the back of the bus, and wheeled the truck towards the trunkroom. A few seconds later they were sweeping and mopping around the bus station.

Before I left I saw them hoisting another trunk into the back of a bus.

Waycross flagrantly violates Negro rights. You have to stand at a window out-of-doors to purchase a bus tickets. Tacked on the back of this station is the colored waiting room. Here they keep the mops and the brooms and cleaning equipment. You stumble over these and you are in your seat. Yet, to check your bags you must hustle in the "White Waiting Room." Then you're off again.

You have a half-dozen rest steps at tiny towns where there are no separate facilities for colored and white people. At one you see colored and white people seated together eating and drinking in amiable fellowship.

You Travel On

You travel on. Ocille, Georgia, is your next stop. You alight. ONE waiting room. Negroes-whites seated back-to-back at this one. You buy your ticket at the same booth with the whites. You check your bags the same way. You get on at the same spot. This town is a study in contrast.

Fitzgerald, georgia, is the next stop. Separate waiting rooms. The one for colored people is in rear. You buy your tickets in the white waiting room. You check your bags and you're off again.

You're on the last lap of your journey home, now. Macon, Georgia, looms like a massive jewel as your bus sweeps through the night.

Now, here is a paradox. The bus station is situated in the "Harlem" area of Macon. Sepia ladies and gentlemen parade in bright finery. Yet, the bus station is as isolated from their lives as a trip to the moon.

Signals For a Cop

Alighting from the bus, you look in vain for the "Colored Waiting Room." After you bolt into the "White Waiting Room," purchase a ticket, check your bags, and prepare to embark for Atlanta, the bus driver signaled for a cop.

You're in the arms of the law! The gendarme barks "That Civil Rights report don't mean nothing to us down here. You can't break the Jim Crow laws?" Three hours later we have paid our fine of eleven bucks and made a dash for the railroad station.

Now, back, where I started. You have to be a prophet to divine your way about the South. Segregation is a crazyquilt. There is no uniformity in the South's Jim Crow pattern. No Negro can be sure of its patchwork design.

[From Late Editions of Yesterday's TIMES.]

SEGREGATION RULE TESTED

The Times 4-29-47

Mixed Group Makes Bus Trip in South—Twelve Arrests

24 New York, N.Y.

Following a fourteen-day bus trip through the Upper South by a mixed group of whites and Negroes, the Fellowship of Reconciliation issued yesterday a statement asking bus passengers to ignore the race-segregation pattern in many Southern communities.

Basing procedure on a United States Supreme Court decision in 1946, which was said to outlaw racial segregation for interstate bus passengers, the mixed group violated the race-segregation pattern in various places. Most bus passengers were declared to be apathetic about segregation.

Members of the group were arrested on twelve occasions in Virginia and North Carolina. Two members were convicted and sentenced to thirty days in jail in Asheville, N. C. 4-29-47

The Liberalism of White Women

24 South Black Dispatch

It is but natural that white women would take a firmer and more pronounced stand against proscription and race hate than white men, by reason of the restricted position in which they have been held across the centuries. It should be remembered that only recently women have been given the right to vote, and in many instances they are denied the right to hold office on equality with men. The struggles of Elizabeth Cady Stanton and others of her group in the early years of this century, perhaps have much to do with the liberal thinking of the female of the specie.

William Worthy jr., one of the members of the interracial group who recently tested southern sentiment respecting jim crow travel, has prepared an interesting statement covering his observations and experiences when he and others ran afoul of southern sanctions in their test of separate travel facilities below the Mason and Dixon line.

Listen to Mr. Worthy: Oklahoma City, Okla.

"A striking feature which cropped up time and gain in April when a dozen white and Negro men tested jim crow on Southern transportation for two continuous weeks was the willingness of white women passengers to stand up and be counted on the issue of racial justice.

"Anyone who has read a 1928 pamphlet on intermarriage by George S. Schuyler will not be too surprised by this phenomenon since even at that time Mr. Schuyler was able to point to a far less vehement opposition to mixed marriages by white women than by their male counterparts. The two groups which have traditionally shown the strongest resistance to intermarriage have been white men and Negro women. Sat. 5-31-47

"This less prejudiced attitude on the part of white women seems to be reflected in other spheres of racial contact. In my own case—on a Greyhound bus traveling from Knoxville to Louisville—a white woman passenger from the Tennessee hills, who was a complete stranger to our test group, left the bus and vehemently argued with the station manager in behalf of my right to sit anywhere. Her spontaneous intervention on the side of justice was probably the decisive factor, for in ten or fifteen minutes the bus resumed its trip and I was neither evicted nor arrested.

"The aspect of the trip, which was jointly sponsored by the Congress of Racial Equality and the Fellowship of Reconciliation, was not of course the most significant. Other participants will write in subsequent articles in this space about other phases. There were soldiers and sailors who paid no attention to our interracial group or even appeared sympathetic. Other men in uniform were overtly hostile, and in one case a soldier reported to the bus driver that a "nigger was sitting up front." Certain drivers were polite, and in routine 'don't care fashion' went through the familiar song and dance about 'company regulations' and state jim crow laws. ('I'm not working for the U. S. Supreme Court,' one driver remarked in reference to the Morgan decision.)

"But on the other hand some 'red-neck' drivers seemed possessed of a burning personal desire to maintain segregation. On a train test from Nashville to Louisville two members of our group sitting in the 'white' coach were told by the conductor that if they had been in Alabama, he would have thrown them through the window.

"From one day to the next—from one hour to the next—we never knew what to expect. Out of all the uncertainty and fuzzy racial lines, however, one conclusion was irrefutoble: the average white passenger is relatively indifferent to seating arrangements on buses and trains, and only the railroads, bus companies and public officials seem determined to prolong jim crow travel. When no popular demand exists for a hoary custom, it is obvious that the rigid pattern of Southern race relations is coming apart at the seams." Sat. 5-31-47

Shaky Foundation

24 The South

Jim Crow Isn't So Tough in Southern States

Pittsburgh, Pa. Courier

EDITOR'S NOTE—Miss Mae Pearl Kelley, special field secretary for the Workers Defense League, wrote this special feature exclusively for The Pittsburgh Courier. She is a 1946 graduate of LeMoyne College, Memphis, Tenn., and a former member of the National Executive Council of the Southern Tenant Farmers Union.

Sat. 8-8-47

By MAE PEARL KELLEY

MEMPHIS, Tenn.—On my way to a Workers Defense League staff conference in Asheville, N. C., I boarded a Greyhound bus, with the following points in mind: (1) to test the enforcement of the recent U. S. Supreme Court decision in the Irene Morgan case outlawing jim crow in interstate transportation, and (2) to get a clearer picture of the reaction of Southerners toward the enforcement of decisions handed down by the Nation's highest court.

Because the bus was crowded, it was not possible for me to get a seat at first. Later, many passengers got off at a rest stop and I took a seat about midway in the bus. After about ten minutes, when passengers began reloading, a white Marine came and sat beside me without as much as lifting his brow.

The other passengers (as far as I could discern) remained calm and indifferent. But, instead of leaving matters as they were and true to tradition, the operator came stalking back and asked a white woman sitting behind and opposite me to exchange seats with me. He proceeded back to the driver's seat to resume the trip; the white woman came to exchange seats with me and I told her very politely that I had no intentions of moving, so she went back to her seat. Nothing happened.

GETS SHERIFF

We passed through several small towns without incident, finally we arrived in the town of Keysville, Va., a town of a thousand population and the seat of Charlotte County. The operator came back a second time and asked me to move in a threatening tone. I refused by quietly saying "No, I don't have to move back." The driver got off the bus to get an official of the law. Not a single passenger made an unfriendly statement.

The sheriff, pistol at his hip, returned with the bus driver. The sheriff asked gruffly "Where is she?" He confronted me and demanded that I move back. I told him that I didn't have to move back. He became more indignant and began to talk very roughly. I got up and stood by the seat. He said "There are seats in the back, sit down." I said that I didn't care to sit in the rear of the bus. The bus driver said "Well, if she won't sit down, take her in and lock her up." So I was taken off the bus.

OFFICER WARNED

After we had gotten off the bus, the sheriff was told by Morris Milgram, national secretary of the Workers Defense League, who had been on the bus that the Supreme Court had ruled segregation in interstate travel illegal. The sheriff did not arrest me, though he took my name.

I left Keysville with Mr. Milgram by taxi to Danville, Va., at a cost of eighteen dollars, and went on from there to Asheville, N. C., by train. Sat. 2-8-47

Jim crow in the South is being maintained on a very shaky foundation. It doesn't seem to have the active popular support that the Talmadges and Rankins would have us believe. As was evidenced by the bus incident, the average Southerner isn't going to try to enforce jim crow in inter-state travel; in fact the bus driver apologetically stated that he was only following orders given him by the Greyhound But Co.

A statement of these facts have been sent to Workers Defense League Attorney, Martin A. Martin of Richmond, Va., so that we can file suit for damages.

It seems to me that Negroes who travel inter-state have a special responsobility to enforce the Morgan Case decision by refusing to permit themselves to be segregated. Until we who are the victims of segregation have the courage to live up to the decision of the highest court of the land, segregation will continue powerful.

The lack of violence in my test of bus segregation, the friendly attitude of many white passengers, the failure of any white passenger to do anything to show support of segregation, all are indications that jim crow isn't so tough.

Order Allowing Published Rules Is Erroneous

By LOUIS LAUTIER

WASHINGTON, D. C.—(NNPA) — An order providing in effect that road Company may segregate white and colored passengers in its dining cars if it publishes its rules or regulations requiring such segregation in its tarriffs and schedules or posts them in its stations is unreasonable, in violation of the Interstate Commerce Act and of the constitutional rights of colored passengers. This is the position taken by the Louisville and Nashville Railroad Company in executions filed for James E. Stamps, manager of a social Security office in Chicago, and Ennis L. Powell, man last Tuesday to a report of Charles W. Berry, an ICC examiner.

Sidney A. Jones, Jr., and Earl B. Dickerson, of Chicago and Belford V. Lawson Jr. attorney for Mr. Stamps and Mr. Powell, took numerous exceptions to statements of fact and conclusions of law made

Of Bias Hit

Daily Worker

Say Implication

Atlanta Ga.

Of Examiner

Sun. 8-3-47

by the examiner.

ERRONEOUS IMPLICATIONS

The implication of the examiner that the United States Supreme Court "found segregation to be legal insofar as the Interestate Commerce Act is concerned" is erroneous, the lawyers contend. Sun-8-3-47

They concede that the act does not forbid segregation but maintain that it does forbid inequality of treatment ,adding that "experience has shown that equality or even 'substantial equality,' is never achieved" where race segregation is practiced.

There is no evidence in the case that the regulation requiring race segregation of passengers is in accordance with custom and usage or that it would tend to promote the passengers' comfort or preserve the public peace and good order, the attorneys say.

They point out that "custom and usage" do not dictate seating arrangement of passengers in interstate air travel in the states in which the Louisville and Nashville operates nor do custom and usage any longer dictate seating arrangements in interestate bus travel.

'At any rates, custom and usage of southern communities should not and cannot determine whether a regulation forced upon interstate passengers is justifiable and reasonable," they assert, adding:

CASTE, INFERIORITY

"To order the defendant to maintain and enforce a regulation requiring separation amounts to a declaration of caste and inferiority.

"While every person has a right to his prejudice, no person or carrier, voluntarily or by order of this Commission, has any right to impose personal attitudes upon others, and allow them to hurt or hinder others in their pursuit of life, liberty and happiness.

"We submit that a regulation based on the arbitrary and specious reason of color is based on no reason at all; that it is a violation of its duty under the Act which is intended, not for the benefit of carriers but to protect passengers against unreasonable and unfair discrimination."

UNFAIR, UNEQUAL

The lawyers also argue that it is not "fair and equal" to limit facilities for colored passengers to two tables set off by a curtain from other passengers "as if the passengers assigned to those tables were untouchables."

They say an undue preference is certainly accorded white passengers when they have the choice of sitting at any vacant table with the exception of two. Not a single white passengers is required to dine at one of two tables alone, next to the kitchen with its clatter, odor, traffic and confusion, they point out. Sun. 8-3-47

"At long as white passengers can go where ever their money will take them and colored passengers cannot, just so long are the latter subected to inequality and discrimination because of their color," the exceptions declare.

Stetson Kennedy

By STETSON KENNEDY

(Courier's Southern Affairs Analyst) Pittsburgh, Pa. (24)

CLEVELAND, Ohio—I've been doing some riding around the South lately on interstate buses, and have to report that jim crow is still on board, laughing at the Supreme Court's year-old order to get off. Sat. 11-1-47

Jim crow is riding so high, in fact, that Talmadge has dropped his campaign plank in which he promised to stop all buses at the Georgia State line to "let the folks stretch their legs" by walking over the line, where they would be required to buy jim crow tickets.

This points up something I've been wanting to get off my chest for a long time. In my book "Southern Exposure" and elsewhere I've spoken out against the "white supremacists" enough to feel entitled to say a few words here and now about the responsibilities of Negroes in the fight for total equality. What I have to say is for those whom the shoe fits.

Jim crow is going to go right on hitchhiking on those interstate buses down South—unless and until Negroes rise up and exercise their legal right to throw him off.

There just isn't any ' nse in fighting for equal rights under the law, and then letting those rights go by default.

Intimidation must not be allowed to perpetuate in justice and discrimination after laws have been established and the courts have spoken. Sat. 11-1-47

Of course some prejudiced white folks will be given an emotional jolt; but it will do them good, and they'll get over it much sooner than they think. Of course some blows will be struck; but freedom has always been a hard-bought thing.

Besides exercising their right to kick jim crow off of interstate buses, Negroes would do well to push court cases to rule him off of all common carriers. Courier, Pittsburgh, Pa.

I have long entertained the notion that if the Negro domestic workers of the South were to issue an ultimatum and deadline after which they would refuse to go to work until jim crow was banished from local buses and streetcars, the white women who employ them would cook jim crow's goose in a hurry. Pa.

But the point I want to make is that if Negroes don't give jim crow a swift kick in the pants, nobody else will.

The same holds true of jim crow in colleges.

It has been several years since the epochal Gaines case came up from Missouri, and the Supreme Court ruled that jim crow States must admit Negroes to their "white" college if the State Negro college is not equal in every respect and the applicant does not care to be sent outside his State.

It is also true that the historic Sweatt case from Texas is being taken back to the Supreme Court for a decision on the basic question of whether it is possible to have any such thing as "separate but equal" schools. The Courier Pittsburgh Pa.

But I can't understand why, in addition to this Texas case, there are not also a host of cases in each of the seventeen States and District of Columbia which operate jim crow school systems.

The Gaines case opened the doors of equal educational opportunity to Negroes—not all the way, but plenty wide enough to get a foot in to kick it wide open. Negroes in the seventeen jim crow States are going to have to put their feet in. Nobody is going to give them a push, or even invite them. Sat. 11-1-47

It's the same way with voting. The Supreme Court ruled four years ago that lily-white primaries are taboo—that citizens cannot be excluded because of race. And yet the white supremacists in the deep Southern States, by devices and/or intimidation, still keep all but a token handful of Negroes from voting.

If the stranglehold of white supremacy is to be broken, not only in the South, but also in Congress, Negro Southerners must beat a path to the polls and cast their ballots for democracy with a small "d," without regard for partisan labels.

Of course this cannot be accomplished without some violence; but the fruits of freedom are sweet, and no man can be free without a vote.

The labor unions, the NAACP, and various other organizations are doing what they can to get people registered to vote. But in the South where the need is greatest, the church is virtually the only organization to which a majority of Negroes belong.

It seems to me that the Negro churches (like all churches) are not doing nearly enough to implement the social creed of Christianity. Without injecting itself into partisan politics, it does seem that the Church has a real responsibility to urge its people to exercise their civic responsibility of voting.

By arming himself with a ballot in one hand and a union card in the other, and militantly insisting upon the equal rights which are his under the law, the American Negro can greatly accelerate the march toward total equality.

Woodard Sues Bus Company For Damages

(24) S. C. Daily World

NEW YORK,—Charging Atlantic Greyhound Bus Company with responsibility for the injury Isaac Woodard sustained as a result of his unlawful ejection from the bus on which he was a passenger on February 12, 1946, the- NAACP February 7 filed suit in the state courts of West Virginia in Woodard's behalf. T. G. Nutter, Charleston attorney for the NAACP, is representing Woodard in filing this suit in Charleston, where the bus company's main offices are located.

Atlanta, Ga.

Four hours after his discharge from the Army, Woodard was put off the Atlantic Greyhound bus he was riding from Augusta, Ga., to Winnsboro, S. C., and turned over to Batesburg, S. C., police chief Lynwood L. Shull, who assaulted him so brutally that Woodard was permanently blinded. The arrest was made on the bus driver's charge that Woodard had been rowdy, profane and intoxicated while on the bus. In its suit, the NAACP contends that Atlantic Greyhound Bus Company had no valid cause or reason to eject Woodard from the bus.

Isaac Woodard Asks $50,000 For His Eyes

(24) S. C. Daily World Sun. 11-9-47

Atlanta, Ga.

CHARLESTON, W. Va. — Isaac Woodard, Negro veteran whose brutal blinding by Lynwood Shull, Batesburg, S. C., police chief shocked the nation in 1946, will appear in the Kanawha County Court here on Nov. 10th with attorneys furnished by the National Association for the Advancement of Colored People, in an attempt to recover $50,000 in damages from the Atlantic Greyhound Corporation, operators of the bus from which Woodard was dragged a few momnets before his brutal beating and maiming.

According to briefs filed by N. A. A. C. P. attorneys T. G. Nutter and Franklin H. Williams in behalf of Mr. Wodard, the shocking incident developed after Woodard, a newly discharged veteran of 18 months in the South Pacific, objected to being cursed by the driver of the bus whereupon the angered driver stopped the bus to call police in Batesburg. Woodard was dragged from the bus, beaten into semi-consciousness and both his eyes gouged out by the police chief.

Atlanta, Ga.

In commenting upon this case, Thurgood Marshall, special counsel for the Association, stated that, "The miaming of Isaac Woodard was one of the most brutal, inhuman and atrocious acts that has ever been committed against an American citizen to my knowledge by an officer of the law. The Association is determined to in some manner attempt to compensate Mr. Woodard for having to spend the rest of his days in darkness because of the act of a vicious individual as a direct result of having been ejected by the driver of the Greyhound bus. We have established a $10,000 trust fund for Mr Woodard, and are determined by this suit to prevent common carriers in in the South from ejecting Negro passengers without any justification and without regard for their rights as interstate travelers."

24 1947

Tennessee

Hold Bus Driver For Putting Group Off At Gun Point

(24) Tenn.
Daily World
Atlanta, Ga.

NASHVILLE -(ANP)- Marshall Shelton, 28-year-old white bus driver for the Southern Coach lines, was arrested by police here last week on charges of disorderly conduct and carrying a pistol. Specifically, Shelton is charged with putting 15 Negro passengers off his bus at pistol point.
Sat. 12-13-47

According to Shelton, his action followed an argument with the passengers which began after two Negroes men sat down beside a white woman at the front of the bus.

"The passengers began to grumble when I asked the men to move toward the rear," he said. "Then when the woman got off, the men began to stand up in their seats and they were moving in on me."

He said he pulled the pistol from the money box to protect himself after passengers threatened to take over the bus."

Hold White Driver

(24)
Defender Chicago Ill.

NASHVILLE--Marshall Shelton, 28-year-old white bus driver for the Southern Coach lines was arrested by police here last week on charges of disorderly conduct and carrying a pistol Specifically, Shelton is charged with putting 15 Negro passengers off his bus at pistol point

According to Shelton, his action followed on argument with the passengers which began after two Negro men sat down beside a white woman at the front of the bus.
Sat. 12-13-47 Tenn.

"The passengers began to grumble when I asked the man to move toward the rear", he said "Then when the woman got off, the men began to stand up in their seats and they were moving in on me". Sat. 12-13-47

Passengers, said Shelton told them "to hell with all of you," and ordered them off the bus without giving requested transfers. Company supervisor described the driver as being "Exceedingly capable and promising," but announced he was suspended temporarily pending an investigation of the incident. He was released (24) on signed bond shortly after his arrest.

Texas

24 1947

New Type of Bus Jim Crow Ignored

Pittsburgh Courier
(24) Pittsburgh, Pa.
Sat. 10-18-47

TYLER, Tex.—A bus driver here tried a new type of jim crow last week. He ordered all colored men, who were standing, to the rear of the vehicle, and insisted that colored women without seats move to front of the bus, where white women were standing. His order was ignored. Sat.

Segregation Problem

Editor of The Times-Dispatch:

I noticed in your paper that the bus companies are having much trouble with Negroes who want to ride in the front seats. Why all the fuss about the front seats? From my own experience I found that the back seats are more comfortable.

Why not let the Negroes have the front seats and white people have the back ones? I understand that the railroads have practiced this rule for a number of years as the Negroes occupy the front coaches.

H. M. OSBORNE.

Victoria.

Choice of Seats

Editor of The Times-Dispatch:

I read H. M. Osborne's letter concerning "Negroes who want to ride in the front seats" of public conveyances. His suggestion, "Why not let the Negroes have the front seats and white people have the back ones?", indicates just how uninformed Mr. Osborne is about the reasons why all the "fuss" is being made by Negroes concerning the seating arrangement on public conveyances.

The "fuss" is not made because the Negro wants to ride in the front seats, but rather, because he wants the privilege to sit wherever there is a seat available—front, middle, or back. It is not a question of comfort, but one of democratic rights.

WILLIAM P. JOHNSON.

Petersburg.

Equality—That's All

Editor of The Times-Dispatch:

I should like to enlighten H. M. Osborne (VOP, May 8) and others who think Negroes are fussing over front seats in buses or trains.

Negroes pay the same fare as other persons and want the same rights. To seat oneself wherever there is a vacancy of one's choice is what he wants. Isn't that what you do when you enter a bus or train? Yes, and that's what we want to do, also.

MAURICE CHILDRESS.

Burkeville.

$25,000 Bus Suit Filed In Virginia

RICHMOND, Va.—(NNPA)—Attempts of Southern bus companies to curcumvent the decision of the United States Supreme Court holding illegal race segregation of passengers traveling interstate brought a suit last Thursday for damages of $25,000.

The suit was filed by Mrs. Ada Atwall Day of Syracuse, N. Y. in the United States District Court here against the Atlantic Greyhound Corporation.

Street Car Case Holds Spotlight

By Special Correspondent

RICHMOND, Va.—A test of Virginia's segregation law as it applies to street car riders appeared to be in the making this week. Two test cases of the act as it applies to passengers on interstate buses are pending in the courts.

In the street car case, Lovelette Allen, 36, of the 200 block West Marshall Street, was charged with "unlawfully failing and refusing to occupy a seat designated by the operator of a certain Virginia Transit Company street car in violation of the Virginia State law."

She was arrested on a Clay Street trolley car on a warrant signed by B. O. Bayne, operator of the street car, who said she was seated near the front of the car and refused to move to a seat in the rear when he asked her to do so. She was freed on a $300 bail bond signed by Frances S. Chiles, of the 300 block West Clay Street.

The case was continued at the request of Spottswood Robinson III, the woman's attorney, who has often appeared on behalf of defendants with the backing of the National Association for the Advancement of Colored People. Police Court Justice Carlton E. Jewett set Aug. 22 as the date for the trial.

New York Woman

Loses Va. Bus Jim-Crow Case

WASHINGTON—(NNPA)—A bus company's right to enforce its own regulations providing for the segregation of passengers was upheld in the Fairfax (Va.) Circuit Court last Thursday.

Affirming an earlier decision of the county's trial justice court, Judge Paul E. Brown fined Mrs. Lottie Taylor of New York City $5 and costs on a charge of disorderly conduct arising from her refusal to move to a rear seat on a Virginia Stage Line bus on September 12. The same penalty was imposed in the previous case.

Va. Segregation Case Tossed Out of Court

Commonwealth's Attorney Apparently Unwilling to Sumbit Law to Judge

By Special Correspondent

RICHMOND, Va.—What appeared to be another test case of Virginia's racial segregation law as it applies to interstate buses was tossed out of court on motion of Commonwealth's Atty. T. Gray Haddon, who apparently was unwilling to submit the law to the scrutiny of Hustings Court.

The case was that of Harold Chance, 24, of Rocky Mount, N. C., a student at Virginia Union University, who was arrested here on May 10. Chance had boarded a Trailways bus, having bought a ticket for Rocky Mount, and refused to move to another seat when ordered to do so by the driver.

Chance appealed from Police Court, where he was fined $25 and costs.

The student was represented by Spottswood Robinson III, an attorney who frequently has appeared in local courts on behalf of the NAACP.

A test case of the Virginia statute is pending in the Virginia Supreme Court of Appeals. The new law was passed after the U. S. Supreme Court invalidated the segregation act insofar as interstate travel is concerned.

The new law makes no mention of race, but provides that any person "who shall be disorderly by refusing to move to another seat when ordered to do so by the operator" shall be guilty of a misdemeanor.

The case was left standing in the aisle of the bus, where he was arrested.

Sat in Front of Whites

Chance was seated, with another colored passenger, in the third front seat, when the driver noticed that a white couple were seated behind them. Boarding the bus, he ordered Chance and his seatmate to swap seats with the white couple.

The other three sought to obey the driver's order, but Chance refused. The white woman eased into the seat as Chance's seatmate left it. Chance then sat on the arm of the seat and the white man pressed by him to take the seat by the woman.

When Chance refused to go to the rear of the bus or take the seat directly behind his, insisting upon occupying his original seat, the driver called officers to arrest him.

Not Shown Seat—Officer

The arresting officer, L. L. Roach, testified that Chance was not offered a seat, but was told simply to move to the rear after the driver cited the company's regulations regarding the seating of colored and white passengers to him.

The bus driver, Mark J. Weaver, native of North Carolina, substantiated Chance's testimony and admitted on cross-examination that had the two men been white, he would not have ordered them to move.

At the conclusion of the trial, Mr. Robinson asked dismissal of the charges on five points, as follows:

1. That there was no evidence that the defendant had violated the disorderly conduct statute.
2. That, granting the validity of the ambigious statute, it would not apply to Chance who was traveling in interstate commerce;
3. That the Virginia statute is "vague and indefinite" and that prosecution of the defendant under it violates his Constitutional rights.

Regulations "Unreasonable"

4. That the statute is an attempt by the State unlawfully to delegate legislative powers to the bus company; and
5. That the company's rules and regulations governing the seating of passengers, which give arbitrary powers to bus drivers, are unreasonable and a burden on interstate commerce.

In ruling on the case and fining the student $25 and costs, Justice Jewett declared that no "racial question was involved and that the Irene Morgan case decision did not apply."

Student Appeals $25 Bus Fine

RICHMOND — Harold Chance, 27, Virginia Union student, was fined $25 and costs for refusing to move to a rear seat in a Carolina Trailways bus May 10 following a hearing Thursday in police court before Justice Carleton E. Jewett.

The student, represented by Spottswood W. Robinson 3rd, of the law firm of Hill, Martin and Robinson, who appeared on behalf of the NAACP, immediately noted an appeal to Hustings Court after Justice Jewett twice overruled a motion to dismiss the warrant.

Testimony revealed that no disorder was created by the defendant, but that in the shuffle that followed the driver's order to change seats, he lost his seat and

Says Company Must Publish Jim Crow Rules

Recommended Rule Against Railroad Bias

WASHINGTON, D. C.—(NNPA)—An examiner for the Inter-State Commerce Commission last Monday in a backhanded decision recommended that the Commission find that it is discriminatory for the Southern Railway Company to set apart separate accomodations for the exclusive occupancy of colored and white passengers unless it publishes its rules regarding race segregation.

The recommendation was made by Charles W. Berry in the cases of Mrs. Vashti Brown, Mrs. Lillian Falls and Mrs. M. Holcombe, who were compelled to move from a "white coach" to a "colored coach" on the all-coach streamlined "Southerner" after the train had crossed the Potomac River, going South.

His recommendation is contrary to the decision in the case of Ralph Matthews, William Scott and the Rev. William H. Jernagin against the Southern Railway, in which the United States Court of Appeals for the District of Columbia held that the principle laid down in Morgan vs. Commonwealth of Virginia was applicable to interstate travel in railroad cars.

In the Morgan case the United States Supreme Court ruled that state statutes requiring race segregation of passengers traveling interstate in buses were illegal.

TRAVEL TO ATLANTA

The three complainants were traveling from New York to Atlanta on January 7-8, 1945, accompanying the body of their mother to Atlanta for burial.

They tried unsuccessfully to purchase a drawing room or berths in a Pullman car from New York to Atlanta. They were told that they could be given three reserved seats on "The Southerner" if they picked them up by a specified time.

Mrs. Brown and one of her sisters went to the ticket office at the Pennsylvania Station in New York, bought three tickets and were given reservations and identification checks, reserving seats 52, 53, and 54 in car S-6. They left New York for Atlanta January 7, 1945 at 4:30 p.m.

When the train was somewhere between Alexandria and Charlottesville, Virginia, the conductor, accompanied by the passenger agent and hostess, collected the Southern Railway's part of the ticket from one of the complainants and told her she and her two sisters would have to move into car S-1, which was reserved for colored passengers.

Upon inquiry as to why they would have to move, Mrs. Brown was told that colored passengers had to be segregated south of Washington. She called the attention of the passenger agent to the fact that the reservation and identification checks reserved the seats they were occupying from New York to Atlanta, and that she and her two sisters were traveling in interstate commerce.

According to Mrs. Brown, the

passenger agent told her the train was in Virginia and that they were subject to the laws of Virginia, which required segregation.

"CUSTOM" CHARGED

According to the passenger agent he explained that it was customary and that they would be given as good accomodations in the Jim Crow coach. Daily World.

The examiner found as a fact that, over their strenuous objections and under threat of being forcibly removed from the train at some station ahead, all three complainants were moved about midnight from the white coach to the Jim Crow. Atlanta, Ga.

On the question of equality of accommondations, the examiner found. Sun. 6-22-47

"Complainants were indignant, and felt humiliated, embarrassed, and unjustly treated because they were required to move to car S-1 and were under a strain caused by the death of their mother, whose body they were accompanying to Atlanta. The natural, even if unconscious reaction would be to magnify the inconveniences they encountered in the long journey by coach and to list all incidents and conditions which they thought might justify critism of defendant, its agents, and employes.

"There are two other possible explanations: (1) that generally or on this particular run defendants' train and station employes failed to perform their duty and carry out their instructions, and neglected car S-1 at New York, which is contrary to the evidence, and (2) that passengers in car S-1 on this particular occasion were careless of indifferent to, and lacking in conventional and courteous behavior in a public convenience, a conclusion not warranted by any evidence."

RECOMMENDATIONS

He recommended that the Commission find that the accomodations furnished complainants in the Jim Crow car were not shown to have been substantially different from those furnished other passengers on the same train, and that they were superior to those furnished passengers traveling at the same rate per mile in most coaches.

After referring to various decisions of federal courts on discrimination in interstate travel, including the Morgan and Matthews cases, the examiner reported:

"The transportation we are here considering is a joint service over a through route rendered in part by one carrier, the Pennsylvania, which admittedly does not, and in part of another carrier which claims it does have a rule requiring segregation. Attention is not called to any specific rule, regulation, or instruction given to the Pennsylvania's or Southern's agents governing segregation of Negro passengers traveling on "The Southerner." Neither is it shown that there is any agreement between the Pennsylvania and the Southern er as to how such a regulation, if any, applies. 24 Va. Sun. 6-22-47

"It is not meant to say that a rule requiring segregation must apply over the entire through route or over no part of it. The Southern Railway under the conditions here disclosed may maintain such a rule from Washington to Atlanta and south without violating the Interstate Commerce Act, but if it does so, some method should be adopted to fully advise the public of all circumstances and conditions attaching to and affecting the contract of carriage.

Bus Company Must Pay In 'Back Seat' Arrest

2-15-47 Sat. Baltimore, Md.

RICHMOND—an all-white jury last week awarded John H. Raigns, Washington special officer, $250 in his $10,000 suit against the Trailways Bus Co. and the Carolina Trailways growing out of his arrest last October on charges of disorderly conduct.

Mr. Raigns was arrested on orders of a Trailways bus driver, when he refused to move from a front to a rear seat of the vehicle, while en route from North Carolina to Washington.

Following his arrest, Mr. Raigns was fined $5 in police court by Justice Carleton E. Jewett, appealed to Hustings Court, where he was acquitted by Judge John L. Ingram.

Bus Company Accused

Counsel for Mr. Raigns contended during the Hustings Court appeal hearing that Mr. Raigns had violated no law and that if any offense was committed through creation of any disturbance, it was chargeable to the bus company or its agents in attempts to enforce an unconstitutional statute, part of the Virginia Code. 2-15-47 Sat.

The statute, the lawyers contended, was illegal delegation of power to the bus company by the State and an attempt to do by indirection—enforce the segregation law on buses—that which the Supreme Court of the United States has ruled the State cannot do directly.

Trial and Error

WHEN a Roanoke, Virginia, jury decreed that a Negro minister, the Reverend William James Simmons, had suffered no damage as a result of being ordered out of his seat on an Atlantic Greyhound bus, US District Court Judge John Paul refused to accept the verdict.

Paul ordered the jurors to go out again and think it over. The panel returned the second time with a $25 judgment for the pastor.

Va. Bus Firms Defy Supreme Court's Edict on Segregation

The Afro-American - Baltimore, Md.

RICHMOND, Va. (NNPA)—John T. Wicker Jr., attorney for Virginia Trailways, said here Jan. 22 that, unless the U.S. Supreme Court renders another decision requiring a change, Virginia bus companies will continue operating under their rules which make segregation of colored and white passengers mandatory.

Mr. Wicker pointed out that two Virginia courts have taken different views regarding the companies' right to enforce such segregation rules. Sat. 2-1-47

The Fairfax Circuit Court convicted Mrs. Lottie Taylor, New York City, on a disorderly conduct charge because she refused, last Sept. 12, to move to a rear seat on a Virginia Stage Lines bus. The Richmond Hustings Court, last week, found Samuel Tucker, Empoira (Va.) attorney, not guilty on a similar charge.

Minister's Son Jailed For Not Taking Rear Bus Seat

Journal & Guide 5-2-47 24

Norfolk, Va.

By S. R. JOHNSON Jr.

SUFFOLK, Va.—W. L. Hamilton Jr., son of the Rev. W. L. Hamilton, well known Norfolk minister, and a World War II veteran, who was injured while serving with the 92nd Division in Italy, was arrested Aug. 14 and jailed in Nansemond county and charged with violation of a section of the Virginia law.

Young Mr. Hamilton was enroute from Kinston, N. C. to his home in Norfolk, Va. Occupying the second seat from the rear, he was ordered by the bus driver to move to the rear of the bus. Being an interstate passenger, Mr. Hamilton told the driver of the "Irene Morgan Supreme Court Ruling" and did not move.

CITY LAW DID NOT SET

The bus driver summoned a Suffolk police officer in an effort to have Mr. Hamilton move, or leave the bus. After some discussion with the driver the city officer would not interfere with the affair.

A State police officer was summoned and, after more deliberation with the driver, Mr. Hamilton was told that if he did not move that he would be put under arrest.

UNDER $200 BOND

Sat 8-23-47

Contending for his rights, the passenger refused to move and was put under arrest. Mr. Hamilton reports that the officers were courteous during the procedure of arrest and during his four hour period of custody.

Mr. Hamilton was bailed on a $200 bond. Victor J. Ashe, Norfolk Attorney, together with the Norfolk NAACP, are handling the case, the hearing of which is scheduled up for Saturday, Aug. 23 in Nansemond County Trial Justice Court. Mr. Hamilton is a recent graduate of A. and T. College and plans to do graduate study.

Kentucky Woman Loses Bus Case

24 Courier Pittsburgh, Pa.

RICHMOND, Va. — Mrs. Ethel New of Cumberland, Ky., lost her racial segregation damage suit against W. N. Smith, a Lynchburg policeman, and the Atlantic Greyhound Corporation, when the Virginia Supreme Court of Appeals affirmed a decision of Richmond's Law and Equity Court. Jul. 1-13-47

The plaintiff had asked for $10,000 on the ground that she was illegally and forcibly removed from a bus and, as a result, had a miscarriage a week later. Sat. 4-19-47

Racial Restrictions on Interstate Travel Blasted

Virginia State NAACP Conference Has Lawyers to File New Briefs

RICHMOND — A brief amicus curiae (friend of the court) was filed in the Virginia Supreme Court of Appeals last Wednesday by the NAACP in the bus jim crow case involving Miss Lottie E. Taylor and the Commonwealth of Virginia.

The brief in the case, one of 20 such actions now pending in Virginia courts and sponsored by the NAACP, was signed by Martin A. Martin, Oliver W. Hill and Spottswood W. Robinson 3rd, counsel for the Virginia State Conference of Branches.

In an accompanying statement the attorneys point out that the brief was filed "because of the importance of the constitutional issues involved so far as they relate to the traveling public" among colored persons between this State and other places in the country.

Convicted in Fairfax

Miss Taylor was tried in Fairfax County Circuit Court on Jan. 12 of this year, the trial court having upheld her conviction in trial justice court on charges of causing an "unnecessary disturbance in a bus" by failing to move to the rear Sept. 12, 1946.

Facts cited in the brief show that she boarded a Virginia Stage Lines bus in Washington on that date and boarded the bus en route to her destination at Brightwood Madison County, Va., and seated herself in the fifth seat from the front of the vehicle.

The bus operator requested before leaving Washington that she move to the rear, she refused and was told that she would be forced to move after reaching Virginia. She was again asked to move at Falls Church, near the Fairfax County line.

Drives to Court House

Refusing again, the operator told her that company regulations provided that colored persons must sit in the rear of the bus and white persons in the front. Upon her continued refusal, the operator drove the bus back to Fairfax Court House and ordered her arrest.

Attorneys for both sides agreed to stipulations that there was no disorder, cursing, abusive language or ndue disturbance other attempts to force her to move and his trip back to the court house.

Errors Relied Upon

After citing the reversal of the Virginia high court by the U. S. Supreme Court in the Irene Morgan case, the brief outlines the following as errors upon which the plaintiff-in-error bases her petition for a writ of error:

1. The statute as applied, is an unconstitutional regulation of interstate commerce.

2. The statue, as applied, is an unconstitutional delegation of legislative power.

3. The statue is so vague and ambigious as to violate the due process clause of the Fourteenth Amendment to the U. S. Constitution.

4. The evidence is insufficient to support the verdict.

In their argument, the attorneys point out that since the Supreme Court decision in the Morgan case, bus companies have altered their tactics in enforcing segregation laws of the States, asserting:

Cite Change in Method

"Compliants now charge colored persons, whom they claim violate segregation rules, regulations, customs and usages, with disorderly conduct or creating a disturbance by failing to move when requested to do so by the operator of a vehicle.

"It is thus apparent that they are attempting to continue segregation on interstate vehicles by indirection since the Supreme Court has explicitly said that it could not be done directly. Such was done in this case. There are two fatal objections to this theory of the Commonwealth.

"In the first place, if the statute is construed so as to force segregation of an interstate behicle on pain of arrest, it is unconstitutional under the decision in the Morgan case.

"In the second place, under the ruling in this case, the prosecution recognizes that the State itself cannot segregate interstate passengers, but assumes that the power to segregate can be delegated by the State to the common carrier and it may, under its rules and regulations, require such segregation and upon failure and refusal to be segregated, the common carrier can have the passenger arrested and the State may then, acting pursuant to said statute, convict such person of either disorderly conduct or creating an unnecessary disturbance by failing to move.

"It is no less constitutional under the latter theory than it is under the former."

Numerous Cases Cited

Cases cited in the brief include Browning v. Hooper, 269 U.S.; Buzzard v. ommonwelath, 134 Va.; Carter v. Carter, 298 U.S.; Collins v. Kentucky, 234 U.S.; Connally v. General Construction, 269 U.S.; Euband v. Richmond, 226 U.S.; Hall v. DeCuir, 95 U.S.; Herndon v. Lowry, 301 U.S.; International Harvester v. Ky., 234 U.S.;

Jannin v. Texas, Crim. Rep. 631; Jordan v. South Boston, 138 Va.; Knickerbock Ice v. Stewart, 253 U.S.; Lanzatta v New Jersey, 306 U.S.; Lewis v. Commonwealth, 184 Va.; McKay v. Commonwealth, 134 Va.; Morgan v. Commonwealth, 184 Va.; Morgan v. Virginia;

Rowe v. Ray, 120 Neb.; Smithberger v. Banning, 129 Neb.; State of Washington v. Roberg, 278 U.S.; U.S. v. Capital Traction, 34 App. D C 592; US v L. Cohen, 255 US; W. B. A. Electric Ry v. Waller, 53 App. D 200, 289; Yick Wo v. Hopkins, 118 U.S.

Virginians Sue In Bus Discrimination

RICHMOND, Va. — (NNPA) — Two suits based on racial discrimination against Negroes were filed last Tuesday in Law and Equity Court.

Howard Barclay, of Petersburg, named the Carolina Coach Company of Virginia as defendant in a $5,000 suit in which he contended he was discriminated against twice on the same day.

He said he bought a ticket from Petersburg to Richmond on October 16, 1946, and boarded a bus. The operator, he said, ordered him to leave his seat and stand under threat or arrest and that he did so.

Later the same day, he said, he boarded a bus in Richmond for the return trip to Petersburg and again was ordered to leave his seat "and forced under the command and direction" of the operator to stand during the rest of the trip.

Dows Su s Carolina Coach Company

In the other suit the plaintiff was Daniel S. Dow, who named the Carolina Coach Company of Virginia and Virginia Stage Lines, Inc., as defendants.

He said he was traveling by bus from Camp Lee to Washington and had to change buses in Richmond. He took a seat near the front of the second bus and the driver ordered him to move.

When refused to do so, he sai the driver summoned military policemen who told him to move from the seat or get off the bus. He said he got off under protest. That happened on October 18, 1946, he said.

Both plaintiffs contended that their rights under the United States Constitution and as well as the federal civil rights statutes were violated.

Sues Greyhound Co. for $5,000

RICHMOND, Va.—Charging that his rights, as guaranteed by the Fourteenth Amendment to the Federal Constitution were violated, Joseph D. Horton of Washington, D. C., has filed a $5,000 suit here in Law and Equity Court against the Atlantic Greyhound Corporation.

In his notice of motion for judgement, Horton said he bought a bus ticket in Baltimore, Md., on Dec. 1, 1946, for a journey to Blackstone, Va. In Richmond, he said, he had to change to another bus.

When he boarded the second bus, Horton said, he was ordered to move to the "extreme rear, or jim-crow section," by the driver. The only reason for the order, Horton said, was his race.

Move-to-Rear Rider Doesn't, Fined $5

RICHMOND, Va.—Edwin Howard, 31, of the 700 block of West Clay Street, was fined $5 and costs in Police Court on a charge of failing to move to the rear of a streetcar when ordered to do so by the operator, N. S. Patrick.

Howard said he had a headache at the time and did not fully realize what was going on until he was arrested.

Woodard Wins First Round In Bus Suit

Chicago Ill. Defender 24 6-7-47 Sat.

Seeks $50,000 From Greyhound For Lost Sight

CHARLESTON, W. Va. — The first round in a $50,000 suit against the Atlantic Greyhound Corporation was won last week here by Isaac Woodard Jr., New York war veteran who was blinded by police in Batesburg, S.C.

The bus company's plea that Woodard's suit against it was not valid was overruled by Circuit Judge Julian F. Bouch.le. He continued the case until September when the defense asked additional time to take deposition in other states.

The blind veteran, who contends he lost his sight by a beating administered by Batesburg's police chief, is suing on the contention that a Greyhound bus driver first ordered him off a bus and then caused him to be arrested in the South Carolina town on Feb. 12, 1946. Sat. 6-7-47

He subsequently suffered the loss of both eyes when he was attacked by the Batesburg police, Woodard said. The bus company's contention that Woodard failed to establish a valid ground for his suit, in that he failed to allege any specific act of negligence by the company or its driver, and failed to identify the driver was overruled by Judge Bouchelle.